

Annual report

2011–12

communicating | facilitating | regulating

**Australian
Communications
and Media Authority**

Annual report
2011–12



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Written enquiries may be sent to:

Manager, Editorial Services

PO Box 13112

Law Courts

Melbourne VIC 8010

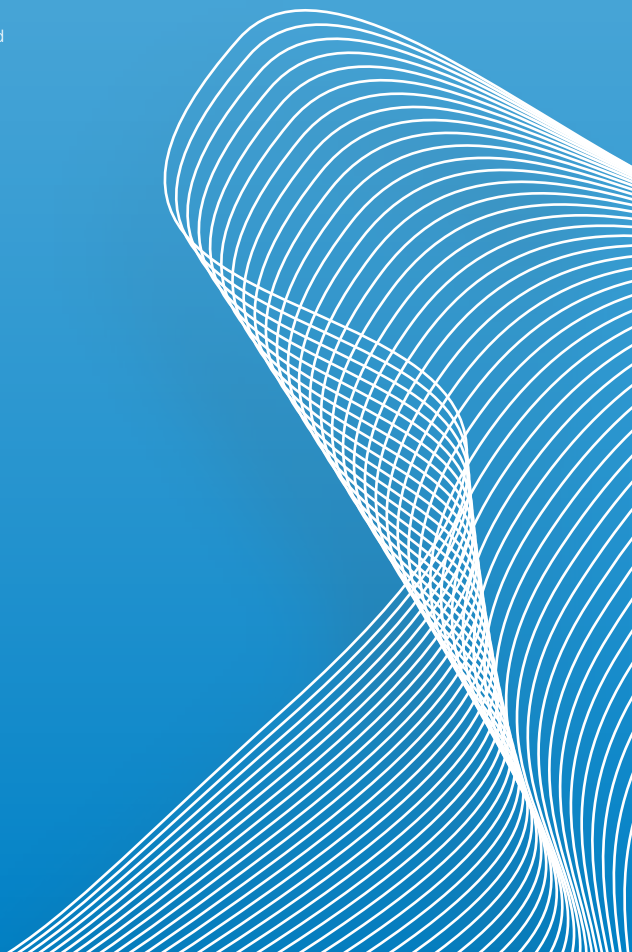
T: 03 9963 6968

E: candinfo@acma.gov.au

This report is available on the ACMA website at

www.acma.gov.au/annualreport.

ISSN 1834-1519



27 September 2012

Senator the Hon. Stephen Conroy
Minister for Broadband, Communications and the Digital Economy
Parliament House
Canberra ACT 2600

Dear Minister

In accordance with subsection 57(1) of the *Australian Communications and Media Authority Act 2005*, I am pleased to present the annual report on the operations of the Australian Communications and Media Authority (the ACMA), for the 2011–12 reporting year.

Please note that subsection 57(3) of that Act requires that you table the report in each House of Parliament within 15 days of receiving it.

In line with the *Commonwealth Fraud Control Guidelines 2011*, I certify that the ACMA has fraud risk assessments and fraud control plans in place including appropriate fraud prevention, detection, investigation, reporting and data collection procedures and processes that meet the specific needs of the agency. The ACMA has taken all reasonable measures to minimise the incidence of fraud in the agency and to investigate and recover the proceeds of fraud against the agency.

Yours sincerely



Chris Chapman
Chairman

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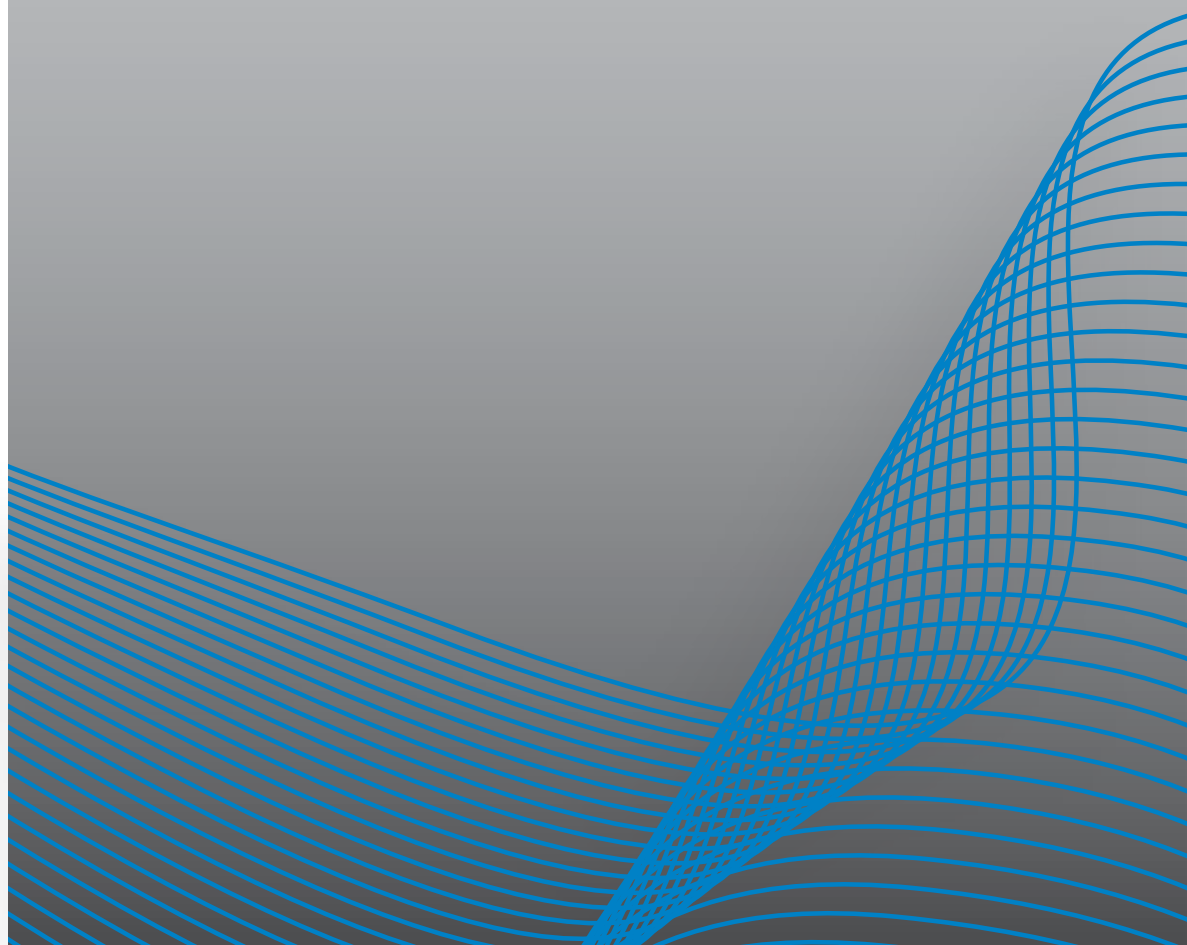
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Chairman's foreword



Few things are more certain in the world of communications and media than change. In this environment, it has been necessary for the ACMA to transform, adapt and consistently reinvent itself over the last few years.

We have worked to develop into a flexible learning organisation that can sense change, and then act with flexibility and agility to meet the multiple challenges of the converged communications and media landscape. This year has been no different.

A lot happened in 2011–12, and it happened at a considerable pace. Our day job was no less demanding but we did spend time focusing on the longer term, taking time to identify themes and likely directions, particularly in the context of rapidly changing technology and services. We also tried to envisage the future and anticipate likely scenarios that will test our preparedness and resilience as a regulator.

Convergence and regulatory pressures

During the year, media and communications—including the possible future function and role of regulation in the sector—has been under intense scrutiny. This has included the Independent Media Inquiry, the Review of the National Classification Scheme by the Australian Law Reform Commission and the independent Convergence Review Committee, which examined the policy and regulatory frameworks that apply to converged media and communications in Australia.

Each of these reviews signalled that a new platform-neutral policy and regulatory framework is needed for communications and media in Australia. Importantly for the ACMA, each review made significant final or preliminary recommendations relevant to the role and functions of the media regulator. It will be interesting to see how the various reviews unfold and what they might mean for the ACMA.

In support of these reviews, the ACMA provided extensive evidence about changing community expectations of communications and media issues and regulatory practice. It did so through its research into and observations of international experience with converged communications and media regulation, and by drawing on insights from community attitudinal research. Since its formation, the ACMA has adopted a multi-dimensional approach to understand and respond to the impact of convergence and other developments in the policy environment, and on the effectiveness, efficiency and appropriateness of regulatory settings under the existing legislative framework.

It is quite possible that, while these and previous convergence developments remain essentially unresolved in our legislative and regulatory machinery, a third wave of change looms, reflecting developments such as cloud computing, virtualisation, machine-to-machine communication and semantic networks—this will call for ever more agile and adaptive modes of regulation.

In the meantime, the ACMA remains committed to inventing and then reinventing itself in pursuit of its aspiration of converged regulatory excellence in a diverse and complex media and communications landscape. As a tangible expression of this, in the first half of the reporting year we launched *Meeting our standard* as a mini-website. This presents a preliminary assessment of where the ACMA is up to in meeting its strategic purpose—which is to make communications and media work in Australia's public interest.

It is an opportunity for the ACMA, as a learning organisation, to invite interested parties to join the conversation about our performance. Feedback and ongoing interaction with regulatory colleagues has demonstrated the benefits of sharing what we do, taking opportunities to learn from others and holding ourselves up for peer and stakeholder review.

We are working towards revising our status against the standard and will publish our updated position in October 2012, once again using an active mini-website.

Telecommunications— *Reconnecting the Customer*

In the world of telecommunications, we have done our day job well. The outcomes of the *Reconnecting the Customer* (RTC) public inquiry arguably represent very strong achievements.

Since I announced the RTC public inquiry in April 2010, the ACMA has been busy re-imagining what the Australian telecommunications landscape should look like so that it delivers on community expectations of appropriate safeguards.

As we rely more and more heavily on our smartphones for working, socialising, banking and sharing, our expectations of our telecommunications providers have only grown. We now need a proper framework to support this changing dynamic.

The RTC inquiry led to a groundbreaking report and forced industry to re-engage with key consumer issues.

Multiple iterations and months of intense negotiations followed, with the Authority and staff all focused on extracting a code of a world-class standard. The overarching philosophy was to protect consumers by facilitating good decision-making. The ACMA has worked tirelessly over the past two years to shape a consumer protections framework suitable for our anywhere, anyhow, anytime, always connected world.

So it was with great satisfaction that, after a rigorous process and by the end of the reporting year, we were close to registering the new Telecommunications Consumer Protections (TCP) Code, which requires improved disclosure in advertising and point-of-sale. This will be supported by better complaints-handling processes, improved customer service and, importantly, the introduction of spend management tools.

We used our leverage to give consumers some of their own, which should provide more equity in the provider–customer relationship. The telecommunications landscape has been considerably shifted towards the consumer.

The new TCP Code is to take effect from September 2012. We will be watching the extent to which industry lifts its game, and will be ready to act should the need arise.

Spectrum and the digital dividend

Our multifaceted spectrum work continues the renaissance we have achieved over the last few years, and our digital transition work, where we have stepped up confidently and asserted ourselves in a leadership role, showcases the ACMA at its best. Our review of the 400 MHz band, for example, is well advanced on the road to delivering harmonised spectrum for use by government agencies, and enhancing the interoperability of state and federal emergency services.

During the year, we collaborated with industry to make rapid progress in developing detailed channel plans to implement restack and clear the digital dividend spectrum for reallocation. We consulted widely as part of preparations for the consequent spectrum auction scheduled for April 2013 and, by year's end, were close to finalising the auction arrangements.

It is worth mentioning here a related issue to do with emerging digital television technologies and standards such as 3D television. We published a paper early in 2012 to start the discussion about the future of the digital terrestrial platform, seeking industry and community comment on what action we might take to meet the challenge posed by ever-improving technical standards. This feedback will enable us to consider whether action in the near term could ease the introduction of new technical standards in the longer term. These standards may deliver increased spectrum efficiencies and new and innovative services for viewers over the next decade and beyond.

The National Broadband Network (NBN)

Our coordination role for the NBN implementation continued to emerge throughout the year. We will keep protecting consumers in the transition to the NBN, ensuring the continued provision and quality of basic voice services. For example, we consulted Communications Alliance (CA) and industry participants about revising the Local Number Portability Code so that customers' porting needs are met when they move to the NBN. The ACMA also advised the Department of Communications, Broadband and the Digital Economy (DBCDE) on changes to pre-selection arrangements in the NBN environment, amended cabling regulatory arrangements to require cabling to be skilled in broadband cabling installation, and provided technical guidance and advice to the minister on level playing field arrangements under the NBN.

Broadcasting and online investigations

Under the *Broadcasting Services Act 1992* (BSA), we occasionally must deal with the offensive antics of some television or radio personalities or inaccurate commentary in some news or current affairs programs. We respond to these using the powers and framework available to us. Occasionally, the ACMA imposes additional licence conditions to achieve compliance, which are then reviewable in the Administrative Appeals Tribunal (AAT). In one matter recently reviewed by the AAT and dealing with a commercial radio station, the AAT reduced the range of the relevant licence condition. It nonetheless noted the ACMA approach was '... appropriate, measured and proportionate'. That is a welcome corroboration of the consistent and disciplined approach ACMA staff take in this often highly contested space. In any event, this particular complaint was one among the 2,273 written complaints and enquiries we received during the year about commercial, national and community broadcasters.

One of the ACMA's many roles is to help maintain public trust in our media, especially our electronic media. Sadly, we do see the worst of the worst content as we respond to complaints about online child sexual abuse material in our endeavours to ensure law enforcement action and take-down of the content wherever it is hosted around the world.

The IPND

Another of our important responsibilities is our role with the Integrated Public Number Database (IPND)—a telecommunications industry-wide database of all listed and unlisted public numbers and their associated customer data. Because it is vital that law enforcement agencies and emergency services who regularly access the IPND receive accurate data, the input of high-quality information is a priority for the ACMA. In 2011–12, we worked with DBCDE on a review of the IPND, investigating whether carriage service providers (CSPs) are complying with their obligations to provide accurate customer data. It is pleasing that we found the majority of the CSPs that we investigated had complied and we had to formally warn only one for not complying.

Numbering

Numbering is not a topic that is on everyone's lips but it is squarely on our agenda. And again, convergence is in the mix. Our numbering work this year looked at Australia's telephone numbering arrangements to address how existing regulatory frameworks might accommodate convergence; in particular, the growing adoption of internet protocol-based services and continued growth in mobile services. We found that both longer term structural changes in the industry and changing consumer expectations are causing a misalignment with existing telephone numbering arrangements. Individual consumers and CSPs showed interest in a more flexible use of geographic numbers.

Consequently, we announced a set of short-term measures to increase flexibility, reduce red tape, remove redundant number ranges and plan for the future. In a detailed discussion paper we explained our vision for the evolution of telephone numbering, which is guided by regulatory design principles that are intended to increase the efficiency, flexibility, resilience and simplicity of the telephone numbering arrangements. This paper outlined 24 initiatives to increase the broad-based use of numbers, reduce the technical specificity of numbers, improve price transparency and improve clarity. By the end of the year we had received submissions and were in discussions with stakeholders about future numbering arrangements.

Cybersafety

It is my intuition that in a social environment dominated by networks, a key role for the regulator will be to act as an authoritative network participant and influencer—a logical extension of our cybersafety role that continued to grow during the year. Among the new resources that were added to our existing suite of cybersafety resources for young people during the year was a short film entitled *Tagged* that tackles the critical issues of cyberbullying, sexting and digital reputation.

I am pleased to say that *Tagged* won a number of awards and medals, including the New York Festivals International Television and Film Awards Silver World Medal for 2012.

It was equally pleasing that the first film produced by the National Relay Service (NRS), *Quiet Signs of Love*, won the award for Best Short Film (hearing directors category) at the First Rome Deaf Film Festival. This film is an innovative approach to raising awareness of the NRS—an Australian Government initiative facilitated by the ACMA—that enables people who are deaf or have a hearing or speech impairment to communicate by phone.

It's clear that in the cybersafety area we have come from a standing start a few short years ago to achieving international peer recognition.

TUSMA

During the year, we were involved in a major structural change in the communications regulatory landscape, working closely with DBCDE to establish the Telecommunications Universal Service Management Agency (TUSMA), which comes into being on 1 July 2012. While TUSMA will take over management of the NRS contracts from the ACMA, the agency's broad responsibilities include to contract the delivery of the universal service obligation (standard telephone services and payphones) and the continuing delivery of the emergency call service. We are committed to working closely with TUSMA and assisting the agency as its role develops.

The establishment of TUSMA and a number of other measures announced by the government are designed to achieve continuity of basic services to consumers throughout Australia, given the significant changes that will occur to the structure of the telecommunications industry from the NBN rollout.

Research and reporting

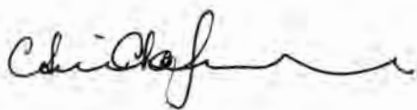
Our research work has continued to give us an unquestioned 'x-factor', creating a platform for intellectual leadership and a sound basis for advising the government. The research we undertake delivers the information that we need to help us make informed decisions as an evidence-based regulator and understand the implications of regulating the communications and media markets. The program also helps us to meet our statutory obligations.

In 2011–12, the program included a study into Australians' expectations of media content in a converging communications environment, and research commissioned to support the review of the *Privacy guidelines for broadcasters* (published during the year). Further research examined best practice self- and co-regulation, international regulatory approaches, the transition to digital television, unsolicited communications and technological developments in next generation networks.

This year, the ACMA developed the leadership group to give it the skills to deal with the rapidly changing, challenging and sometimes uncertain environment. We also invested more in our outreach and engagement program using a variety of web and other communications tools to better interact with stakeholders and the broader public. Our aim is to be the leading Gov2.0 APS agency and a major revamp of our website—to be delivered in the next six months—will be a significant contribution to that goal.

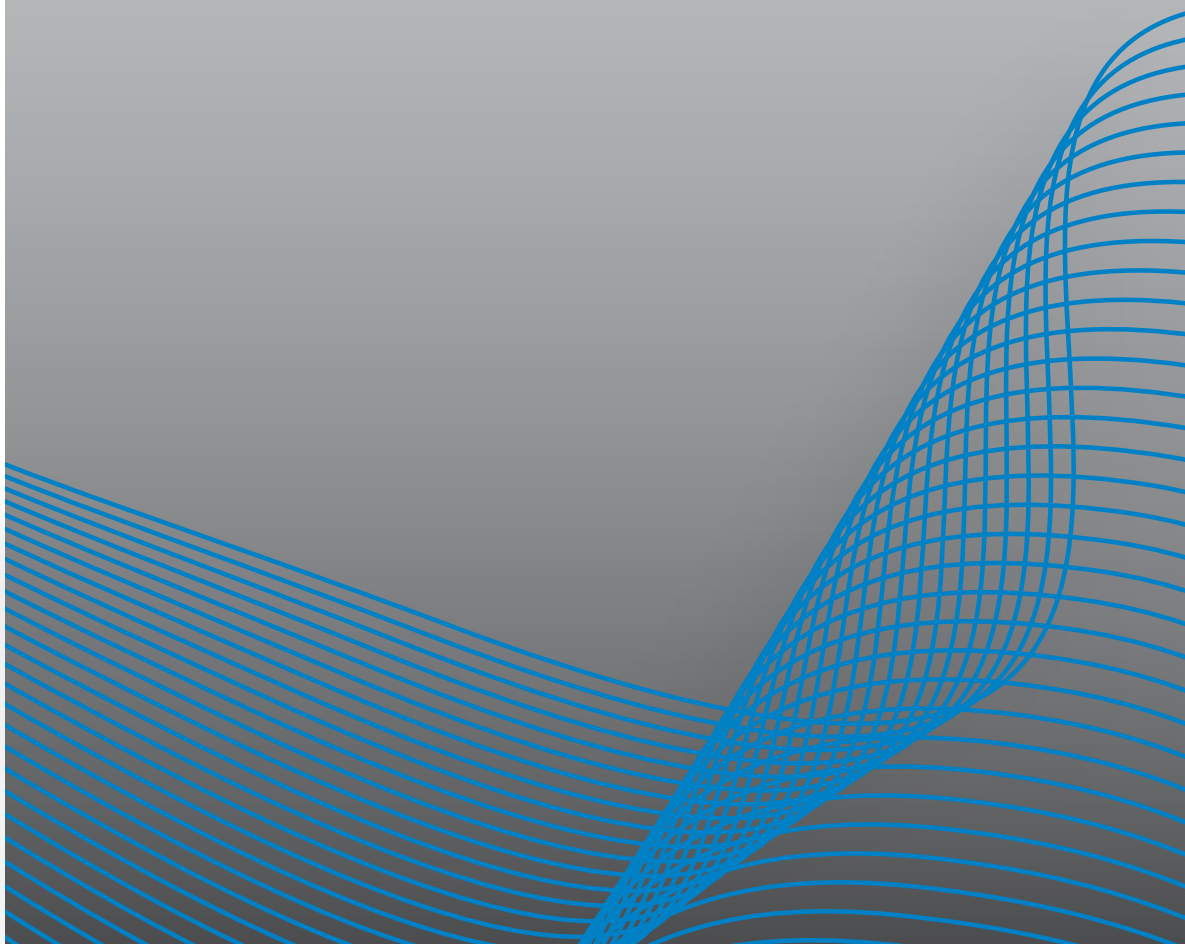
Our strategic planning focus as an agency is to be forever ready to meet the demands of our dynamic environment. We aim to position the right people in the right place at the right time, and remain relevant and valuable to our various stakeholders.

Looking to the future, my optimistic disposition is that the ACMA will succeed in making media and communications work for all Australians. As we have done this year, we will continue to position the agency to deal with the regulatory challenges presented by a digitally connected Australia and our networked society, and address these challenges with 'fit for purpose' solutions and determinations.



Chris Chapman
Chairman

Highlights



The following are some particular highlights of 2011–12 for the ACMA.

Public inquiry into telecommunications customer care

The ACMA completed the *Reconnecting the Customer* public inquiry into customer service and complaints-handling in the telecommunications industry. The high number of complaints to the Telecommunications Industry Ombudsman (TIO) and the increasing complexity of the telecommunications industry prompted the inquiry, which began in July 2010.

In its final report, released in September 2011, the ACMA detailed six proposals to improve customer care. The proposals aim to:

- > improve advertising practices
- > improve product disclosure prior to sale
- > provide consumers with information about customer care performance
- > enable consumers to monitor expenditure and usage
- > raise standards for internal complaints-handling
- > improve external dispute resolution arrangements as delivered by the TIO.

The report is on the ACMA website.

At the conclusion of the inquiry, the ACMA gave notice to industry body Communications Alliance (CA), requesting that it address identified deficiencies in the Telecommunications Consumer Protections (TCP) Code.

The notice indicated that deficiencies in the TCP Code would be addressed if it required participants in the telecommunications industry to, among other things:

- > cease using terms known to confuse and mislead consumers; for example, 'cap', where the consumer may incur further charges above the monthly cap amount
- > substantiate any representations made in advertisements or other promotions about broadband speed, network coverage and other performance characteristics
- > present billing information so that consumers are able to compare their usage in different billing periods
- > develop expenditure management and usage tools that enable consumers to monitor their expenditure and/or usage during a billing period; for example, notifying consumers when they have reached specified levels.

CA submitted a revised TCP Code to the ACMA for registration on 30 May 2012. The revised code will take effect in the second half of 2012.

Major government reviews

To support major government reviews of media and content regulation—in particular, the Convergence Review, the Australian Law Reform Commission Review of the National Classification Scheme and the Independent Media Inquiry—the ACMA provided evidence on changing community expectations about communications and media issues and regulatory practice. It did so through research and observations of international experience with converged communications and media regulation, and by drawing on insights from community attitudinal research.

The ACMA's analysis of convergence and regulatory pressure is an important input to its regulatory development activity and to the wider consideration of the implications of communications and media convergence on current regulatory policy. Since its formation, the ACMA has adopted a multi-dimensional approach to understand and respond to the impact of convergence and other developments in the policy environment on the effectiveness, efficiency and appropriateness of regulatory settings under the existing legislative framework.

The National Broadband Network

The ACMA has a number of roles in the rollout of the National Broadband Network (NBN), including a regulatory presence across a range of telecommunications consumer safeguards in the NBN world. This includes the universal service obligation (USO) and the Customer Service Guarantee (CSG), which apply to the existing fixed-line copper network and the NBN.

Amendments to telecommunications legislation introduced new powers to strengthen the protections offered by the USO and CSG. The aim is to protect consumers in the transition to the NBN, and ensure the continued provision and quality of basic voice services.

In 2011–12, the ACMA worked with CA and industry participants to identify regulatory issues that may emerge during the rollout of the NBN, including where a change of CSP occurs in the initial migration of customers from Telstra's copper network to the NBN network. CA is expected to begin revising the Local Number Portability Code in 2012–13 so that industry arrangements meet customers' porting needs.

The ACMA provided assistance and advice to DBCDE on changes to pre-selection arrangements in the NBN environment. On 19 June 2012, the Telecommunications (Consumer Protection and Service Standards) (Characteristics for Standard Telephone Service) Regulation 2012 came into effect. The regulation removes the requirement to offer pre-selection on wireless services in specified circumstances, particularly on interim wireless services in new developments pending the rollout of fixed-line infrastructure. It also removes the requirement to offer pre-selection on services on wholesale-only, open-access fibre networks like the NBN for three years, pending a review of pre-selection.

Towards the end of the reporting period, the ACMA amended the customer cabling regulatory arrangements to require registered cabling providers to have the necessary skills to install broadband cabling. One objective of the changes is to give end users the full benefits of the NBN and other high-speed carriage networks.

The ACMA also provided technical advice to the minister on exemption applications under the *Telecommunications Legislation Amendment (National Broadband Network Measures—Access Arrangements) Act 2011*, which provides level playing field arrangements for the NBN.

The *Telecommunications Act 1997* allows the minister to give exemptions (conditional or unconditional) from the level playing field arrangements. Exemptions may relate to specified networks, specified local access lines or network owners.

The level playing field arrangements mean that end users have access to the same types of service outcomes whether they are connected to the NBN or another network provider. They also support NBN Co in achieving its national objectives, including uniform national wholesale pricing, by creating a more level playing field.

Spectrum management

400 MHz band implementation

The ACMA began implementing the results of its review of the 400 MHz band, which has delivered harmonised spectrum for government agencies to use. The interoperability of state and federal emergency services will be enhanced as a result of new arrangements in the band.

Under these new arrangements, several segments of the band have been identified for the exclusive use of government, primarily to support national security, law enforcement and emergency services, but also for broader government use once these requirements are met. The ACMA intends to finalise transition to the new arrangements by 31 December 2015 in areas where congestion is defined, and by 31 December 2018 outside these areas.

Five-year spectrum outlook 2012–2016

The ACMA updated its assessment of the demand for different parts of the radiofrequency spectrum, releasing its *Five-year spectrum outlook 2012–2016* during the year. The outlook provides a forum for discussion with all spectrum users about emerging pressures for changing approaches to spectrum management and the ACMA's work plan.

For the first time, the outlook was published in an electronic magazine (e-mag) format. This key spectrum publication can now be viewed on smartphones, tablets and PCs, maximising its audience. It also encourages collaboration between all users of radiofrequency spectrum.

The ACMA released two key discussion papers during the year. The first, *Earth station siting—Guidance on the establishment of new Earth stations and other space communications facilities or the expansion of existing facilities*, was published on 11 August 2011. The paper covered the use of the radiofrequency spectrum by satellite Earth stations in the context of competing demands by all radiocommunications services for access to the finite available spectrum. Areas of high demand, such as capital cities and major population centres, and providing long-term tenure for the siting of Earth stations were a particular focus of the paper. There will be further consultation with the aim of developing options for the future.

On 17 May 2012, the ACMA released *Planning for mobile broadband within the 1.5 GHz mobile band—An assessment of the current and potential future use of the 1427.9–1510.9 MHz band*. This paper follows on from the May 2011 discussion paper *Towards 2020—Future spectrum requirements for mobile broadband*. The new paper identified the 1.5 GHz band as one of a number of candidate bands that could be designated for mobile broadband services in the short to medium term in order to meet an identified shortfall of spectrum for mobile broadband services. While international trends for planning of the band are still in the formative stages, the ACMA issued the paper to promote early consideration of potential options. The paper also sought information on the current and future use of the band by existing users and the impact on these users of any allocation for mobile broadband services.

Digital dividend

A significant amount of spectrum—the digital dividend—will be freed up after the switchover from analog to digital television. The three key steps to realising the digital dividend are:

- > completing the switchover to digital television (see page 20)
- > clearing digital television services from the block of UHF spectrum corresponding to channels 52–69—known as 'restack'
- > reallocating the cleared spectrum to new users.

Restack

Over the past year, the ACMA, in collaboration with industry, has made rapid progress in developing the detailed channel plans necessary to implement restack and clear the digital dividend for reallocation. Restack channel-planning proposals have been discussed with industry for all areas. In 2011–12, formal plans to clear the digital dividend by restacking digital television services were finalised in six of 19 geographic regions for which plans are being developed.

Reallocation

In August 2011, the ACMA recommended to the minister that he declare parts of the digital dividend band for allocation under section 153B of the *Radiocommunications Act 1992*. The minister's subsequent declaration enabled the ACMA to proceed with its planning to allocate the digital dividend spectrum—and parts of the 2.5 GHz band—as spectrum licences through a single auction scheduled for April 2013. This recognises the highly complementary nature of the two bands for advanced mobile telecommunications.

The ACMA consulted widely during 2011–12 as part of its preparations for the auction. In November 2011, the *Digital dividend auction tune-up* informed stakeholders about the ACMA's auction preparations, and its preliminary thinking on auction rules and procedures. In January 2012, combinatorial clock auction (CCA) workshops were held to outline the CCA format to be used in the auction. In April 2012, a webinar provided information about the draft legislative instruments that, once finalised, will provide the legal basis for the auction.

Between November 2011 and the end of the reporting year, several rounds of consultation, both formal and informal, were held on key elements of the auction rules and procedures, and the legislative instruments. Comments received have helped the ACMA to finalise the auction arrangements with due consideration given to the views of stakeholders.

Digital television

During 2011–12, the ACMA continued to provide technical expertise as well as regulatory and television coverage advice to the Digital Switchover Taskforce and related areas of DBCDE.

The ACMA's digital television coverage evaluation progressed well during the year, with assessments completed in each television viewing area at least 12 months before the switchover to digital. This evaluation assesses if equivalent coverage is available before analog television is switched off. The remaining switchover areas will be progressively evaluated around the country, region by region, until the end of 2012. Evaluation reports are available on the ACMA website.

Broadcasters have identified a number of areas where they intend to roll out additional digital television transmission sites and where they plan to help convert analog retransmission sites. The ACMA has planned suitable channels for each of these sites. Additionally, some current retransmission licensees have converted or have sought licences to convert their analog retransmission sites to digital. The ACMA has also planned and licensed these digital retransmissions.



A member of the ACMA's digital television coverage evaluation team in action.

Codes of practice

New codes registered

On 22 September 2011, the ACMA registered a new commercial radio code of practice that contains safeguards for participants in live-hosted entertainment radio programs. Commercial Radio Australia (CRA) developed the code in response to the ACMA's 2009 investigation into how adequately community safeguards protected participants in such programs. The new code prohibits the broadcast of programs that treat participants in a highly demeaning or exploitative manner.

The ACMA registered the revised Emergency Call Services Requirements Code on 3 November 2011. It replaces the 2003 code and responds to changes made by the ACMA in the Telecommunications (Emergency Call Service) Determination 2009.

Three other codes were registered during the year:

- > The new Open Narrowcasting Radio Codes of Practice 2011 (21 December 2011). The codes were developed by the Australian Narrowcast Radio Association (ANRA), in consultation with the ACMA. In comparison with the previous open narrowcasting codes, the new codes contain additional requirements on complaints-handling and privacy. They are also now consistent with advertising codes.
- > The revised Unconditioned Local Loop Services Network Deployment Rules Code (16 May 2012). This replaces the 2006 code and includes minor technical refinements.
- > The Mobile Phone Base Station Deployment Code on 31 May 2012. This will replace the Deployment of Mobile Phone Network Infrastructure Code that was developed by industry in 2004 and registered by the Australian Communications Authority in 2005. The new code will come into effect on 1 July 2012.

Mobile premium services

The ACMA registered a new Mobile Premium Services (MPS) Industry Code under the Telecommunications Act. The new code came into effect on 1 June 2012. It replaces the first MPS Industry Code introduced in 2009 as part of a package of regulatory measures to address the high level of consumer complaints about mobile premium services.

During 18 months of engagement and consultation with industry, consumer representatives and regulatory agencies, CA developed the new code to create appropriate levels of consumer protection for premium SMS and MMS services. Its enhancements include:

- > a double opt-in procedure that streamlines mobile and non-mobile originating requests for subscription services into one process
- > the requirement that providers of reverse-charge services inform customers of call costs and terms and conditions before charging
- > a requirement that information about the cost of a service be printed close to the number used to request a service in an advertisement.

The new code also requires mobile service providers to provide quarterly reports to the ACMA on the results of their in-market compliance monitoring. Voluntary compliance monitoring by industry has been effective in bringing about changes in the behaviour of content providers and fostered a compliance culture in the industry. The number of complaints about mobile premium services recorded by the TIO remained low during the reporting period.

The ACMA also began reviews of its two service provider determinations that apply to mobile premium services. These two determinations were developed to strengthen the consumer safeguards contained in the MPS Industry Code.

Telecommunications code compliance

The ACMA promotes compliance with the TCP Code to achieve better outcomes for consumers. The main areas of focus during the year included improving consumer protection through the TCP Code review, investigating specific referrals from the TIO about non-compliance with the TIO scheme and auditing provider compliance with financial hardship and privacy of billing information.

Broadcasting investigations

The ACMA received 2,273 written complaints and enquiries about commercial, national and community broadcasters, and investigated licensees' compliance with codes of practice, licence conditions, standards and the BSA. Two investigations attracted a good deal of public attention and comment.

Today FM Sydney Pty Ltd (2Day)—*Kyle and Jackie O Show*, 22 November 2011

During this broadcast, presenter Kyle Sandilands referred to a female journalist using a number of abusive terms, following an unfavourable review of his debut TV show. In an investigation finalised in March 2012, the ACMA found that the conduct concerned was deeply offensive and amounted to a breach of the generally accepted standards of decency provision of the Commercial Radio Code of Practice 2011.

The ACMA found the comments did not breach the code's provisions on inciting serious contempt or severe ridicule on the grounds of gender or inciting violence or brutality. Although the comments conveyed hatred, serious contempt and severe ridicule on the grounds of gender, they were not considered likely to 'incite' those feelings in others.

Following careful consideration of the licensee's representations, the ACMA imposed an additional condition on the licence of 2Day for a period of five years, effective from 16 May 2012.

The licensee has applied to the Administrative Appeals Tribunal for a review of the ACMA's decision.

Radio 2GB

During the reporting period, the ACMA finalised a series of investigations involving Harbour Radio, the licensee of Radio 2GB. The investigations issues cover accuracy and presentation of significant viewpoints, incitement of violence and contemporary standards of decency.

Some of the complainants also alleged that 2GB had failed to deal with their complaints in the manner required by the codes.

The ACMA found 2GB breached the codes by failing to:

- > accurately present current affairs material broadcast in *The Alan Jones Breakfast Show* on 15 March 2011, when Mr Jones made a statement about the contribution of human activity to carbon dioxide levels
- > adequately comply with the codes' complaints-handling provisions for four of the complaints made.

Even though 2GB's broadcasts about the Australian Government's proposal to introduce a carbon tax were predominantly critical, the ACMA found that a number of different views were presented on this controversial issue across similar programs in the licensee's schedule. This was sufficient for the licensee to meet its codes obligation, as the codes do not require 'balance' or 'equal time' in the presentation of controversial issues.

In two investigations, the ACMA found that disparaging comments made by Mr Jones about the Prime Minister and others in public office did not amount to a breach of the codes' prohibitions on:

- > inciting violence or brutality
- > inciting intense dislike, serious contempt or severe ridicule on the grounds of gender or disability.

In response to these breach findings and the separate breach findings in investigation 2540, 2GB commenced a review of its editorial and other processes.

Numbering

The ACMA continued its examination of Australia's telephone numbering arrangements to address how existing regulatory frameworks might accommodate convergence and, in particular, the growing adoption of internet protocol-based services and continued growth in mobile services.

Towards the end of 2011, the ACMA announced that it would progress a set of short-term measures to increase flexibility, reduce red tape, remove redundant number ranges and plan for the future.

Two consultation papers were released:

- > *Numbering: Calls to freephone and local rate numbers—The way forward* (October 2011)
- > *Telephone numbering—Future directions* (November 2011).

In early 2012, after considering the issues and options raised by feedback on the first paper, the ACMA announced a proposed amendment to the Telecommunications Numbering Plan 1997. This will see the proposals for freephone and local rate numbers set out in this paper coming into force on 1 January 2015. There will be statutory consultation on this amendment later in 2012.

Telephone numbering—Future directions set out the ACMA's vision for the evolution of telephone numbering guided by regulatory design principles that are intended to increase the efficiency, flexibility, resilience and simplicity of the telephone numbering arrangements. It outlined 24 initiatives to increase the broad-based use of numbers, reduce the technical specificity of numbers, improve price transparency and improve clarity.

At the end of the reporting period, the ACMA was continuing discussions with stakeholders about submissions received in response to this paper.

Consolidated compliance mark

In a significant development, the ACMA will consolidate the three existing compliance marks into a single regulatory compliance mark—the RCM—covering telecommunications, radiocommunications, electromagnetic compatibility (EMC) and electromagnetic energy (EME). The new arrangements will commence on 1 March 2013.

The RCM, which also indicates compliance with electrical equipment safety requirements under Australian state and territory legislation, will deliver long-term industry efficiency benefits by reducing the complexity of regulatory arrangements and the time required by industry to comprehend and abide by those arrangements. Less complex labelling arrangements also increase the likelihood of compliance and improve regulatory outcomes for industry and consumers.

The ACMA has been working closely with state and territory electrical equipment safety regulators to align the consolidated compliance mark proposal with the implementation of new electrical equipment safety arrangements undertaken under the Electrical Regulatory Authorities Council (ERAC). Under the new electrical equipment safety system (EESS), suppliers of in-scope electrical equipment will also be required to label products with the RCM.

Marine radio

The Australian Maritime College (AMC) in Launceston has provided marine radio operator certification and examination services on behalf of the ACMA since 2002. With the agreement between the AMC and the ACMA due to expire on 31 July 2012, the ACMA conducted a competitive tender to appoint a provider of marine radio operator certification services from 1 August 2012. The AMC was the successful tenderer and in late 2011 a new agreement was signed initially for five years.

The ACMA completed its review of regulatory arrangements for VHF marine radio operator qualifications relating to recreational boaters during the reporting period. The review focused on formulating an effective, efficient and sustainable approach to managing marine radio qualifications in the longer term. The final outcomes of the review are due to be published in August 2012 after direct consultation with state marine authorities about introducing a new Australian Waters qualification for recreational users of marine VHF radios. The new qualification would be developed as part of the Maritime Training Framework managed by the Transport and Logistics Industry Skills Council. This new proposal responds to the concerns raised during two rounds of public consultation, particularly by the marine safety sector.

During the year, the ACMA continued its marine radio information campaign aimed at informing recreational marine radio operators of the correct VHF radio channels to use in particular circumstances and the protocols they need to follow.

Online content complaints

During 2011–12, the already high number of complaints received about online content increased further to a total of 5,026. This is a three per cent increase on the 4,865 complaints made in 2010–11.

The ACMA finalised investigations into 6,265 items of online content during the reporting period, a five per cent decrease on the 6,587 items from 2010–11.

The increasing number of Australian families who are online and a growing awareness of how to report suspected prohibited content are among the likely reasons for the sustained high number of complaints received by the ACMA and the resulting investigations.

Do Not Call Register

Numbers listed on the Do Not Call Register reached more than 7.7 million during the year, with over 1.3 million numbers added by the end of June 2012. This represents more than half of Australia's eligible fixed-line numbers and over three million mobile numbers.

Since the commencement of the register, 6,725 telemarketers and 193 fax marketers have set up accounts to check or 'wash' numbers and more than 5.4 billion numbers have been washed against the register.

The ACMA received 21,969 telemarketing and fax marketing complaints—a 12 per cent increase on the previous year. Of these, 19,000 raised potential contraventions of the *Do Not Call Register Act 2006* (DNCR Act) and/or the telemarketing or fax industry standards.

An increase in complaints about telemarketing calls that promote online technical support services resulted in complaint numbers being generally higher than in previous years.

During 2011–12, the ACMA also:

- > finalised 18 formal investigations into individuals or organisations that were alleged to have contravened the DNCR Act
- > issued four formal warnings
- > issued four infringement notices to businesses for contraventions of the DNCR Act
- > accepted four enforceable undertakings, including from Vodafone Hutchison Australia Pty Ltd and Optus Pty Ltd, both of whom made two-year commitments to improve their compliance with the DNCR Act.

Anti-spam

The number of contacts—complaints, reports and enquiries—from the public about spam reached a record high of 226,816 during the year (a significant proportion of these contacts were about the same businesses). This is an increase of 622 per cent on 2010–11 and 3,726 per cent on 2009–10.

Greater awareness of the ACMA's role in spam regulation, the first full year of streamlined methods for reporting spam to the ACMA by email and the continued success of the Spam SMS service (which enables reporting of SMS spam by SMS) all contributed to this increase.

The ACMA also launched its *Successful e-marketing ... it's about reputation* education campaign, which provides tools and advice to members of the e-marketing industry and encourages the adoption of best-practice principles. A key element of this campaign is the ACMA's regular e-marketing blog, which currently has 170 subscribers and even more followers via RSS feed.

During 2011–12, the ACMA also:

- > accepted three enforceable undertakings designed to promote ongoing compliance with the *Spam Act 2003* and lead to the development of robust e-marketing policies and procedures
- > issued seven formal warnings for contraventions of the Spam Act
- > sent informal warning letters to 4,206 businesses in Australia and overseas, advising recipients of their Spam Act obligations and referring them to the ACMA's e-marketing blog for further information about compliance.

Cybersafety

Cybersafety awareness received a boost during the year with the delivery of several new resources to complement the existing suite. Among these new resources, *Tagged*—a short film for teenagers exploring cyberbullying, digital reputation and sexting—was the standout, winning several international awards. See *Tagged* case study on page 136.

Other cybersafety resources released during the year included:

- > Cybersmart Access—a series of game-based resources developed to support children with special needs
- > Cybersmart Networking—a new scenario in the interactive shared learning suite for primary-school children with a specific focus on social networking.

The Cybersmart website underwent a content review and visual redesign. The site continues to offer young people, parents, teachers and library staff an access portal to cybersafety information and education resources.

The Cybersmart Outreach program continued to develop and deploy internet safety presentations and teacher professional development resources throughout the year, as well as produce cybersafety education programs and information material for schools, parents and libraries. The program delivered 1,803 presentations to more than 198,000 teachers, parents and students, with a further 4,500 trainee teachers participating in the Outreach pre-service teacher program being delivered across Australian universities.

Conferences and events

RadComms2012

The ACMA held its sixth national conference on spectrum management, *RadComms2012*, on 6 and 7 June 2012 in Melbourne, attracting more than 200 radiocommunications professionals from across industry and government. The conference theme, 'Spectrum – beyond broadband' looked at uses of spectrum beyond mobile communications; for example, in measuring and monitoring the world and universe around us. A highlight of *RadComms2012* was the presentation by NASA's Compton Tucker on the space agency's observations of climate change using satellites. Other spectrum uses discussed at the conference included radioastronomy, weather observation and public safety systems.

Spectrum tune-ups

In November 2011, the ACMA held the *Digital dividend spectrum auction tune-up* in Melbourne to inform stakeholders about the preparations for the allocation of 700 MHz (digital dividend) and 2.5 GHz spectrum. The spectrum will be allocated as spectrum licences through a single auction in April 2013. The event included presentations on the combinatorial clock auction format to be used in the auction, the ACMA's preliminary thinking on auction rules and procedures, the consultation to develop the auction rules and procedures, and related time frames.

Satellite workshop

On 29 November 2011, the ACMA held a satellite issues workshop in Canberra. The workshop focused on several discussion papers covering topics of Earth station siting, Earth station licensing, and satellite filing and procedures.

Citizen conversations series

The ACMA developed the *Citizen conversations series* in late 2011 to discuss a range of issues surrounding convergent media content. The series brings together and encourages contributions from citizens and consumers, industry representatives, academics, researchers and consumer groups. These diverse groups can share information and perspectives about content and regulation in an increasingly converged media landscape, exploring scenarios and solutions that meet people's needs.

The first event—*Young citizens in a changing media world*—was held on 5 December 2011. It discussed young citizens online, education and protection, television programming for young citizens, insights into young people's views on convergence from recent research and social media.

The second event—*Tuning in to kids TV*—took place on 28 March 2012. It covered children and TV today, the specific viewing needs of children aged five to 11, non-drama programming, and the depiction of violence in animation and live-action drama.

Communications and engagement

Vital to the ACMA's continuing engagement with citizens, consumers and industry stakeholders is its ability to communicate effectively through its website. In 2011–12, the ACMA undertook a significant development program to build a new website that will incorporate a sophisticated architecture and content management system, allowing highly effective and targeted engagement with stakeholders and the public. The new website will be launched in the next reporting period.

Research and reporting

ACMA research completed in 2011–12 covered Australians' expectations of media content in a converging communications environment, while research was commissioned to support the review of the *Privacy guidelines for broadcasters*, which were also published during the year. The effects of communications and media convergence on existing regulatory concepts and future regulatory frameworks were explored in *Broken concepts—The Australian communications legislative landscape* and *Enduring concepts—Communications and media in Australia*.

Best practice self- and co-regulation, international regulatory approaches, the transition to digital television, unsolicited communications, and technology and technological developments in next generation networks were the subjects of additional research conducted during the year.

International activities

The ACMA participated in the International Telecommunication Union (ITU) World Radiocommunication Conference 2012 (WRC-12) held in Geneva, Switzerland, from 23 January to 17 February 2012.

The ACMA led a delegation of 38 representatives from government and industry at the conference. WRC-12 represented the culmination of extensive stakeholder engagement managed by the ACMA in the four years leading up to the conference.

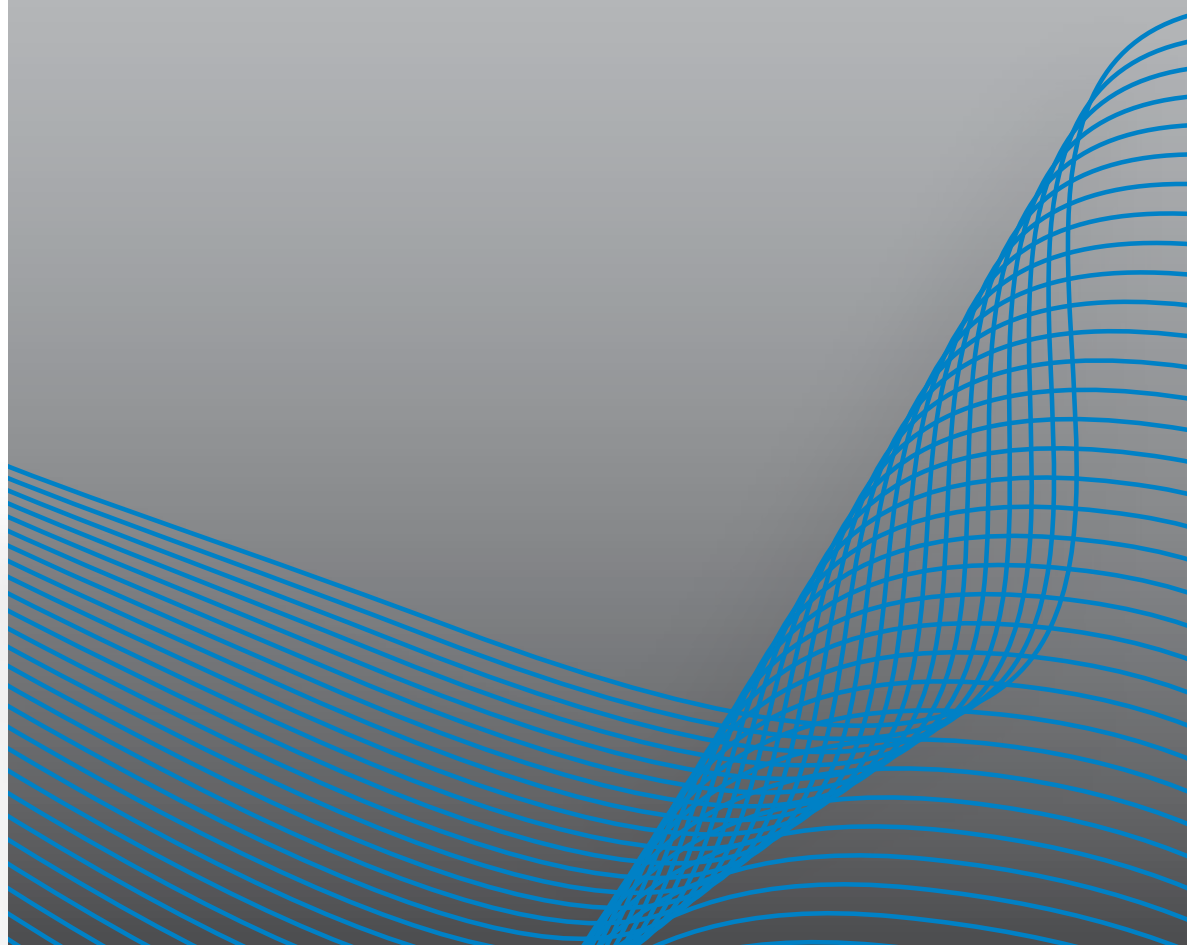
The Australian delegation enjoyed a high profile at WRC-12 and influenced many important outcomes for Australia and the Asia-Pacific region that were largely in line with Australia's positions developed in the lead-up to the conference.



*The ACMA led a delegation from government and industry at WRC-12, held in Geneva in February 2012.
Photo credits: ITU/J. Hoffman & P. M. Virot.*

Chapter 1

About the ACMA



Chapter 1 details the functions, structure and corporate governance that enable the ACMA to perform its role, administer regulations and legislation, and deliver its services.

Functions and responsibilities

The Australian Communications and Media Authority (the ACMA) is a statutory authority within the federal government portfolio of Broadband, Communications and the Digital Economy. Senator the Hon. Stephen Conroy is the minister responsible for the portfolio. The ACMA is responsible for the regulation of broadcasting, the internet, radiocommunications and telecommunications.

In accordance with the relevant legislation, the ACMA's specific responsibilities include:

- > regulating telecommunications and broadcasting services, internet content and datacasting services
- > managing access to radiofrequency spectrum bands through radiocommunications licence arrangements, and resolving competing demands for that spectrum through price-based allocation methods
- > planning the availability of segments of radiofrequency spectrum bands used by broadcasting services, and managing access to that spectrum through broadcasting licence arrangements
- > regulating compliance with the relevant legislation, licence conditions, codes of practice, standards, service guarantees and other safeguards
- > promoting and facilitating industry self-regulatory and co-regulatory solutions to emerging issues
- > where necessary, exercising powers to create legislative and other instruments, often in the form of standards or service provider rules
- > facilitating the provision of community information to promote informed decisions about communications products and services
- > reporting on matters relating to the communications industry, including its performance
- > representing Australia's communications interests internationally
- > advising the government on specific matters from time to time.

Structure

The Authority

At 30 June 2012, the Authority comprised the Chairman, the Deputy Chair, one full-time Member, three part-time Members and one Associate Member (see Table 1).¹

About the Authority



Chairman and Chief Executive Officer—Chris Chapman

Appointed 27 February 2006 for five years

Reappointed 14 October 2010 for five years

Chris Chapman commenced as the inaugural Chairman and CEO of the ACMA in February 2006. He was also appointed an Associate Member of the Australian Competition and Consumer Commission (ACCC) in September 2007.

Mr Chapman has had an extensive career including leadership roles in the media; broadcasting and film; internet, telecommunications and internet business; and the sports and infrastructure sectors. Before joining the ACMA, Mr Chapman held a number of senior management positions with Babcock & Brown, Optus, Stadium Australia Management and the Seven Network. Mr Chapman has also been the Chairman of Film Australia and SportsVision Australia, and a previous member of the National Film and Sound Archive's Advisory Council.

Mr Chapman has a Bachelor of Laws and a Bachelor of Commerce from the University of New South Wales, and has completed the Harvard Business School Advanced Management Program (AMP).



Deputy Chair—Richard Bean

Appointed 14 October 2010 for five years

During his career, Richard Bean has worked in a variety of senior roles in Australia's media and communications industries. Before joining the ACMA he oversaw the legal and regulatory affairs and human resources functions at Unwired, the wireless broadband infrastructure owner and ISP.

He had previously held positions responsible for the legal and business affairs side of Network Ten's programming activities, and practised as a commercial, media and litigation lawyer at national commercial law firm Blake Dawson. Prior to that, Mr Bean worked in program administration and policy development in a number of Australian Government organisations.

Mr Bean holds an honours degree in Literature and Philosophy from the University of Sydney and a law degree from the University of New South Wales.

¹ Jennifer McNeill was granted a leave of absence from 11 May 2011 to 10 May 2012 to take up the role of Acting General Manager, Content, Consumer and Citizen Division. Jennifer resigned from her appointment as a part-time Member with effect from 10 May 2012.

**Full-time Member—Chris Cheah**

Appointed 1 July 2005 for four years

Reappointed from 1 July 2009 for five years

Chris Cheah was previously head of the Telecommunications Division of the then Department of Communications, Information Technology and the Arts (now Department of Broadband, Communications and the Digital Economy), advising the government on telecommunications issues. He has also managed accessibility funding programs and held positions with Austel and Telstra.

**Part-time Member—Emeritus Professor Reg Coutts**

Appointed 14 October 2010 for five years

Reg Coutts has over 30 years experience in the Australian telecommunications industry, including 18 years at Telstra, moving through the research laboratories to become the director of strategy in the early mobile communications business.

Mr Coutts was the inaugural Professor of Telecommunications at the University of Adelaide where his multidisciplinary team worked with industry both in Australia and overseas during the first wave of spectrum management reform. Currently, Mr Coutts consults to business and government, and chairs a new technology venture company.

Mr Coutts was educated as an engineer and is a graduate of the Australian Institute of Company Directors (AICD). He is actively involved in developing the ICT profession and is a Director of the Telecommunications Board of the Australian Computer Society (formerly known as the Telecommunications Society of Australia).

**Part-time Member—Louise Benjamin**

Appointed 14 October 2010 for five years

Louise Benjamin has extensive experience in media and telecommunications, from both a regulatory and executive perspective. Prior to joining the ACMA, Miss Benjamin held senior strategy positions with News Ltd and Foxtel. She was a competition law partner at Allens Arthur Robinson from 1995 to 2004 and the national Chair of the Law Council of Australia's Trade Practices Committee, which plays a significant role in competition law policy. She has also served as Deputy Chair of the Australian Publishers' Bureau.

Miss Benjamin holds a Bachelor of Arts, Bachelor of Laws and Master of Laws from the University of Sydney.

**Part-time Member—Hugh Marks**

Appointed 14 October 2010 for five years

Hugh Marks has held a number of senior management positions in the television broadcasting and content production industries through his roles with the Nine Network and most recently as CEO of production and distribution business Southern Star.

In addition to his responsibilities with the ACMA, Mr Marks currently runs his own media production and advisory business, specialising in content production, financing and management. In this capacity, he works with a number of businesses that operate generally in the content industries and has board memberships with a couple of small independent content producers.

**Part-time Member—Rod Shogren**

Appointed 1 July 2005 for three years

Appointed 1 July 2008 for three years, extended pursuant to the Reconnecting the Customer public inquiry

Resigned with effect from 1 August 2011

**Part-time Member—Jennifer McNeill**

Appointed 1 July 2008 for five years

Granted a leave of absence from 11 May to 11 December 2011, and for a further period to 10 May 2012, to take up the role of Acting General Manager, Content, Consumer and Citizen Division.

Jennifer McNeill resigned from her appointment as a part-time Member with effect from 10 May 2012.

**Associate Member—Rod Sims**

Appointed 1 August 2011 for five years

Rod Sims was appointed Chairman of the Australian Competition and Consumer Commission (ACCC) in August 2011 for a five-year term.

Mr Sims has extensive business and public sector experience as Chairman of the Independent Pricing and Regulatory Tribunal of New South Wales, Chairman of InfraCo Asia, Commissioner on the National Competition Council, Director of Ingeus Limited, and member of the Research and Policy Council of the Committee for Economic Development of Australia. Mr Sims was also a Director of Port Jackson's Partners Limited where he advised the CEOs and boards of some of Australia's top 50 companies on commercial corporate strategy over many years.

**Associate Member—Graeme Samuel**

Appointed 9 September 2007 for five years

Term of appointment expired 31 July 2011

Corporate structure

The ACMA's day-to-day activities are managed by an executive team comprising the Chairman, the Deputy Chair, the full-time Member, six general managers and 16 executive managers. The ACMA's corporate structure at 30 June 2012 is set out in Figure 1.

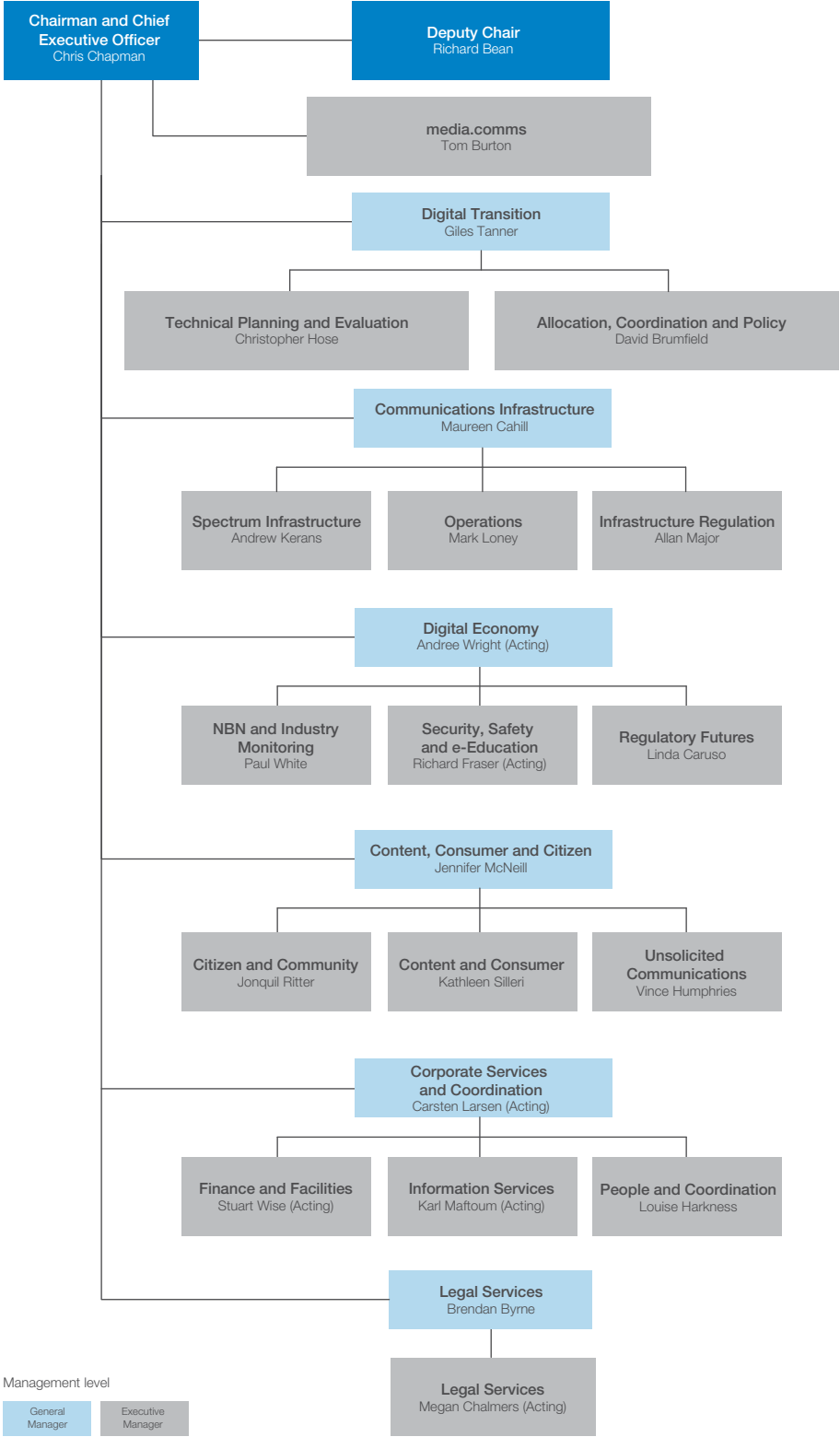
At 30 June 2012, the ACMA employed 618 staff under the *Public Service Act 1999*, most of whom are located in the ACMA's offices in Canberra, Melbourne and Sydney. The ACMA also has field offices in Brisbane and Hobart.

The ACMA will continue to provide service within acceptable time frames to all areas of Australia by utilising field staff from the ACMA's Melbourne, Sydney, Canberra, Brisbane and Hobart offices. Contact details for offices are provided in Appendix 1. Detailed information about the ACMA's staff is provided in Appendix 3.

Table 1: The Authority membership, 30 June 2012

Role	Name	Appointment date
Chairman and Chief Executive Officer	Chris Chapman	27 February 2006 for five years Reappointed from 14 October 2010 for five years
Deputy Chair	Richard Bean	14 October 2010 for five years
Full-time Member	Chris Cheah	1 July 2005 for four years Reappointed from 1 July 2009 for five years
Part-time Member	Rod Shogren	1 July 2005 for three years Resigned with effect from 1 August 2011
Part-time Member	Jennifer McNeill	1 July 2008 for five years Resigned with effect from 10 May 2012
Part-time Member	Reg Coutts	14 October 2010 for five years
Part-time Member	Louise Benjamin	14 October 2010 for five years
Part-time Member	Hugh Marks	14 October 2010 for five years
Associate Member	Graeme Samuel	9 September 2007 for five years Term expired 31 July 2011
Associate Member	Rod Sims	1 August 2011 for five years

Figure 1: Corporate structure of the ACMA as at 30 June 2012



Revenue collection

The ACMA collects revenue on behalf of the Australian Government through broadcasting, radiocommunications and telecommunications taxes, charges and licence fees. It also administers non-regular revenue from spectrum auctions.

In 2011–12, the ACMA administered \$646.375 million of revenue (2010–11: \$580.135 million) and \$161.940 million of expense (2010–11: \$161.389 million) on behalf of the government (see Figure 2).

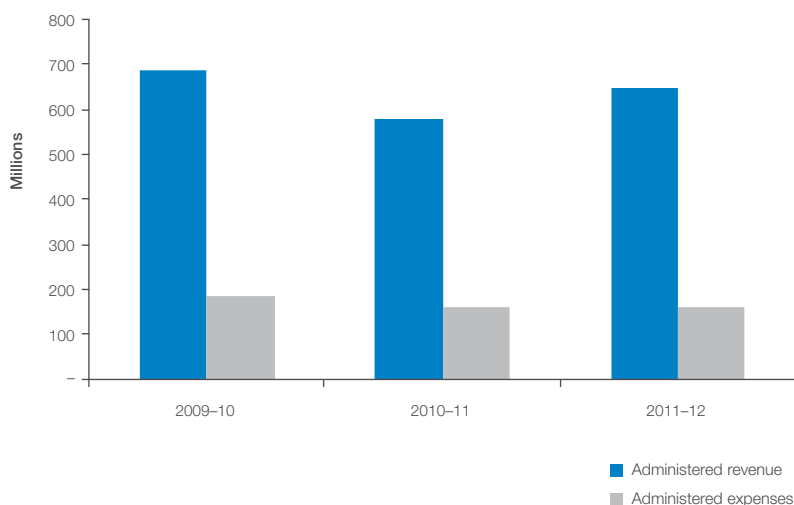
Governance

The ACMA's regulatory functions and responsibilities are set out in Part 2, Division 2 of the *Australian Communications and Media Authority Act 2005* (the ACMA Act). In addition, the ACMA is also regulated by the *Financial Management and Accountability Act 1997* (FMA Act), where responsibility for governance and management of the ACMA resides with the Chairman as the Chief Executive Officer. The ACMA Chairman is also the head of the ACMA for the purposes of the Public Service Act and has the rights, duties and powers of an employer for Australian Public Service employees in the ACMA.

The ACMA Audit Committee provides independent advice to the Chairman on the ACMA's risk, control and compliance framework, as well as its external accountability responsibilities. The committee also provides a forum for communication between senior management and the internal auditor (Protiviti) and the external auditor (Australian National Audit Office). During 2011–12, the Audit Committee continued to look at key corporate processes. Its work also included a number of performance audits on a range of line area functions.

The ACMA also has a number of other high-level committees overseeing finance, compliance and enforcement, human resources and information technology.

Figure 2: Revenues and expenses administered on behalf of government



Throughout 2011–12, the ACMA's Executive Group assisted the Chairman in his role as the Chief Executive Officer of the ACMA by providing assistance on issues of high-level corporate or strategic significance to the ACMA's authority. The Executive Group comprised the Chairman, Deputy Chairman, full-time Member and six general managers. Additional information about corporate governance—audit, security and risk management—is detailed in Chapter 4.

Strategic and business planning

Strategic planning

In 2011–12, the ACMA's strategic planning activities focused on delivery of the agency's:

- > strategic directions to assist with business planning, budgeting and performance management
- > Portfolio Budget Statements
- > corporate plan
- > annual operating plan.

This approach is designed to ensure that the agency works to commonly understood and agreed strategic priorities that are directed towards the delivery of the ACMA's Outcomes and Programs set out in the Portfolio Budget Statements.

Corporate plan

The ACMA corporate plan is a high-level document that the agency is required to prepare and submit to the minister each year under section 56 of the ACMA Act. The plan covers three years and identifies the ACMA's objectives, and the strategies and policies that the agency will implement to achieve these objectives. In 2011–12, the ACMA advised the minister that it would be aligning its corporate and annual operating plans (previously prepared on a calendar year basis) with the annual budget cycle from July 2012.

The current corporate plan covers 2012–14 and is available on the ACMA website.

Operating plan

The ACMA's annual operating plan is an externally focused document that identifies the key strategic activities the ACMA will focus on over the course of the planning year. It sets out detail about the work program that ACMA is continuing to undertake to further these strategic activities.

The 2011 operating plan is available on the ACMA website. Work is underway to develop a 2012–13 plan in line with the agency's annual budget cycle.

Business planning

Through its annual business planning process, the ACMA plans activities for the coming year at a section, branch and divisional level, ensuring that these activities:

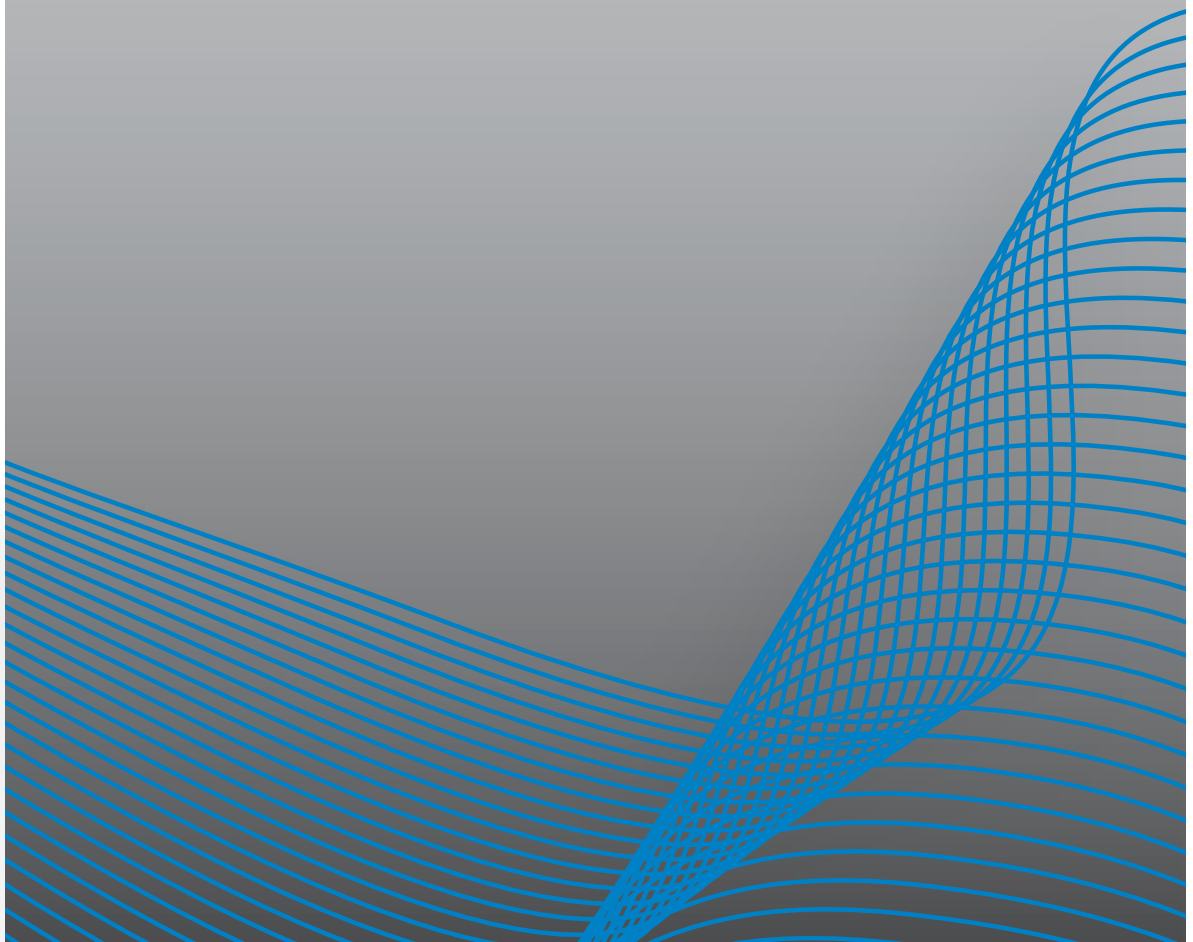
- > contribute to the ACMA's outcomes and programs as set out in the Portfolio Budget Statements
- > align with the agency's strategic directions derived from the strategic planning process and set out in the corporate plan
- > contribute to the achievement of the ACMA's objectives at section, branch, divisional and organisational levels.

Business planning also provides the basis for internal budgeting decisions at section, branch, divisional and agency levels.

There is regular whole-of-agency performance reporting to the Chairman against the agency's key activities.

Chapter 2

Regulatory environment



Chapter 2 reflects the ACMA's key result areas related to:

- > Outcome 1: A communications and media environment that balances the needs of the industry and the Australian community through regulation, education and advice
- > Program 1.1: Communications regulation, planning and licensing.

The ACMA's responses to the performance information listed below for Program 1.1 can be found throughout the chapter.

Program 1.1: Communications regulation, planning and licensing

Program 1.1 Key performance indicators

- > An effective regulatory environment that supports a dynamic communications sector and enables industry to meet the communications needs of the community.
- > Efficient planning, allocation and use of national resources such as radiofrequency spectrum, telecommunications numbering and infrastructure.
- > Industry contributes to, and complies with, the regulatory framework without being subject to undue financial or administrative burden.
- > Levels of industry compliance with the regulatory framework as assessed by breaches and recurrent breaches of legislation, codes, standards and licence conditions.
- > The cost of ACMA's regulatory activities is minimised to the extent possible.

Program 1.1 Deliverables

- > Government revenue targets met in the collection of annual numbering charges.
- > Applications for an opinion on control or temporary approval of a breach of the *Broadcasting Services Act 1992* (BSA) dealt with within applicable timeframes.
- > Annual identification and publication of primary issues facing key radiocommunications services, and methods the ACMA proposes to use to manage these issues.
- > Greater marketplace contestability in frequency assignments.
- > Increased proportion of spectrum licensed through class and spectrum licensing.
- > The proportion of licensing and numbering transaction applications dealt with within applicable timeframes.
- > The proportion of online content, Do Not Call Register and broadcasting code complaints dealt with within applicable timeframes.
- > Price-based allocations of spectrum completed within statutory timeframes.
- > Evaluate digital transmission reception to assess whether digital television has the same coverage as current analog services.
- > Review community broadcasting licence allocation and renewal processes.

Regulatory functions

As the regulator for broadcasting, the internet, radiocommunications and telecommunications, the ACMA's responsibilities include:

- > promoting self- and co-regulation and competition in the communications industry while protecting consumers and other users
- > fostering an environment in which electronic media respect community standards and respond to audience and user needs
- > managing access to the radiofrequency spectrum
- > representing Australia's communications interests internationally.

The ACMA's regulatory functions are set out in Part 2, Division 2 of the ACMA Act.

The ACMA's responses to convergence and regulatory pressures

Under the ACMA Act, one of the ACMA's functions is to inform itself and advise the Minister for Broadband, Communications and the Digital Economy about technological advances and service trends in the broadcasting, internet and datacasting industries.

Another of its functions is to report to and advise the minister about the telecommunications industry and matters affecting consumers of carriage services. The ACMA also monitors and reports to the minister on the operation of a number of Acts he administers, as specified in sections 8, 9 and 10 of the ACMA Act. The ACMA continues to monitor and research the rapidly changing communications and media environment to support these functions.

To support major government reviews of media and content regulation—in particular, the Convergence Review, the Australian Law Reform Commission Review of the National Classification Scheme and the Independent Media Inquiry—the ACMA provided evidence about changing community expectations about communications and media issues and regulatory practice.

It did so through its research into and observations of international experience with converged communications and media regulation, and by drawing on insights from community attitudinal research. The ACMA's analysis of convergence and regulatory pressures is an important input to its regulatory development activity and to the wider consideration of the implications of communications and media convergence on current regulatory policy.

Since its formation, the ACMA has adopted a multi-dimensional approach to understand and respond to the impact of convergence and other developments in the policy environment on the effectiveness, efficiency and appropriateness of regulatory settings under the existing legislative framework.

Ownership and control

The ACMA monitors and investigates broadcasting industry compliance with the media diversity and media control rules, and takes enforcement action where appropriate.

Its monitoring role includes handling applications for prior approval of temporary breaches of control rules and opinions on control arrangements for a given company under divisions 1, 2, 3, 5 and 5A of Part 5 of the BSA. The ACMA also maintains the Register of Controlled Media Groups (RCMG) and Associated Newspaper Register, along with an interactive media control database.

Register of Controlled Media Groups

The RCMG is a core component of the ownership and control rules. It provides information to industry and the community on the existence of registrable media groups in licence areas across Australia. The RCMG lists the media groups in each commercial radio licence area, the media operations that form part of each group and the controllers of those operations.

Updates to the RCMG

During 2011–12, the ACMA continued to keep the RCMG and associated media databases up to date and publicly available.

Commercial television and radio licensees, and publishers of newspapers associated with a licence area must notify the ACMA of any changes in control within five days of becoming aware of those changes. Similar obligations apply to persons who come into a position to exercise control of such licences and associated newspapers.

Unless a transaction creating a new group results in an unacceptable media diversity situation² or an unacceptable three-way control situation³, the ACMA updates the RCMG with an unconfirmed entry within two days of receiving notification. The ACMA then reviews and confirms or cancels the unconfirmed entry within 28 days. Similar requirements apply to the removal and alteration of entries.

No new unacceptable media diversity situations arose during the reporting period. At 30 June 2012, there were no licence areas where an unacceptable three-way control situation existed.

Associated Newspaper Register

Under section 59 of the BSA, the ACMA is required to maintain a public register of newspapers that are 'associated' with commercial radio or television broadcasting licence areas.

The register is available on the ACMA website.

Interactive media control database

The ACMA's interactive media control database, available on its website, enables the public to search across six categories—state, radio licence area, controller, network, licence and associated newspaper.

The database contains the details in the RCMG, information about ungrouped or independently owned media operations and a guide to the number of points in each radio licence area. Like the RCMG, the information in the database is based primarily on notifications received from licensees and publishers, and their controllers (see *Notifications of changes in control* and *Annual notifications* below).

Compliance with ownership and control provisions

Notifications of changes in control

The ACMA received notifications as a result of nine transactions that affected the control of media operations during the reporting period. Most of these transactions affected multiple media operations and two transactions affected two different types of media operations (both newspapers and commercial radio licences). These notifications of change of control affected:

- > 44 commercial radio broadcasting licences
- > six commercial television broadcasting licences
- > 21 associated newspapers.

The ACMA amended the notifications registers and the RCMG to reflect these changes, making the information publicly available.

2 An unacceptable media diversity situation arises where there are fewer than five points in any metropolitan licence area or fewer than four points in any regional licence area. In general, each registrable media group constitutes one point, as does each separate media operation that is not part of a registrable media group.

3 An unacceptable three-way control situation exists if a person is in a position to exercise control of a commercial television licence, a commercial radio licence and an associated newspaper in the one radio licence area.

Annual notifications

By 30 September each year, commercial television and radio licensees, and the publishers of the newspapers listed in the ACMA's Associated Newspaper Register must provide the ACMA with a list of all persons in a position to exercise control of the licence or newspaper as at 30 June of that year.

For the third year running, the licensees of all 327 commercial broadcasting licences and publishers of all 46 associated newspapers lodged their annual returns on time. The information provided in the annual returns is used to monitor the ownership of media operations and is reflected in the media control database and the RCMG.

Enforcement for failure to comply with notification provisions

Under Part 14E of the BSA, an authorised infringement notice officer can issue a formal warning (under section 205XA) and this may be followed by an infringement notice (under section 205Y) where the officer has reasonable grounds to believe that a person has contravened a notification provision (section 62, 63 or 64).

Most of the notifications lodged with the ACMA for change of control events that occurred in the reporting period were lodged within statutory time limits. During the reporting period, 21 formal warnings and 14 infringement notices were given for late notifications of changes in control.

Applications for prior approval

During the reporting period, the ACMA approved four applications for prior approval of temporary breaches under section 67. The ACMA also granted three applications under section 68 for an extension of the period granted under section 67. All applications were finalised within the allowed statutory period. Details of temporary breaches approved by the ACMA are provided in the Register of Notices and Approvals under Part 5 of the Act, available on the ACMA website.

All section 67 applications for prior approvals and applications for extension of approval periods dealt with during the reporting period arose out of circumstances created by a breach that was given temporary approval under section 67 in the previous reporting period, on 25 March 2011.

On 25 March 2011, the ACMA, under section 67 of the BSA, approved breaches of sections 54 and 56 by Southern Cross Media Group Limited (SCMG) and related companies, and their directors that arose when SCMG acquired Austereo Group Limited.

The breaches arose because section 54 provides that a person must not be in a position to exercise control of more than two commercial radio licences in a licence area. Related restrictions apply to directorships under section 56.

The acquisition gave SCMG control of Triple M/4MMM and B105 FM/4BBB in the Brisbane RA1 licence area. At that time, SCMG was also in a position to exercise control of Sea FM/4SEE and MIXFM 103.5/4SSS in the Nambour RA1 licence area. SCMG is now in a position to exercise control of four commercial radio licences in the combined Brisbane RA1/ Nambour RA1 licence area.⁴

The approval from the ACMA requires that action be taken to ensure the breaches cease within one year. The ACMA also accepted an enforceable undertaking from SCMG and related companies to divest two of the radio network's commercial radio licences within the one-year approval period so as to rectify the breaches. The undertaking is published on the ACMA website.

The ACMA also gave individuals joining boards of companies in a position to exercise control of SCMG (director applicants) section 67 temporary approval as any appointment to those boards would be a fresh breach of associated directorship limits in section 56 of the BSA.

On 23 February 2012, the ACMA granted SCMG and the other original company applicants a one-year extension of their section 67 approval to comply with the original notice under section 67, requiring compliance by 24 March 2013 rather than 24 March 2012.

This extension was given pending a Federal Court ruling on an application by subsidiaries of SCMG to review a decision by the ACMA in relation to the Nambour licence area plan.

During the reporting period, some director applicants who sought and obtained separate temporary approval under section 67 to breach section 56 were also granted an extension to comply under section 68.

⁴ Under the Act, the overlapping Brisbane and Nambour commercial radio broadcasting licence areas are treated as a single licence area for the purposes of sections 54 and 56 because more than 30 per cent of the Nambour RA1 licence area population is attributable to an area that overlaps with the Brisbane RA1 licence area.

Provisions of opinions on control

Under section 74 of the BSA, an applicant can request that the ACMA give an opinion on whether a person is in a position to control a licence, newspaper or company. The ACMA did not receive any requests for such opinions during the reporting period.

Local content

Regional television

The following regional commercial television broadcasting licensees in Queensland, New South Wales, Victoria and Tasmania must broadcast minimum amounts of material of local significance (local content) as a result of an additional licence condition imposed on them:

- > Seven Qld, Southern Cross and WIN TV in regional Queensland
- > NBN Ltd, Prime Television and Southern Cross in northern New South Wales
- > Prime Television, Southern Cross and WIN TV in southern New South Wales
- > Prime Television, Southern Cross and WIN TV in regional Victoria
- > Southern Cross, WIN TV and Southern Cross/WIN joint venture in Tasmania.

The minimum amount of local content is at least 720 points per six-week period, with a minimum 90 points per week. Points accrue on the basis of two points per minute for local news, and one point per minute for other local content material, excluding paid advertising.

Based on figures provided to the ACMA by the licensees subject to the condition under a self-reporting scheme, all licensees met the quota requirements for the 2011 calendar year.

Regional radio

Local content—all regional commercial radio broadcasting licensees

A licence condition in place since April 2007 requires regional commercial radio licensees to broadcast prescribed amounts of material of local significance (local content) between 5 am and 8 pm on business days.

In April 2012, the BSA was amended to:

- > exempt section 40, racing service and remote area service licences from the local content licence condition
- > reduce the operation of the local content obligation from 52 weeks to 47 weeks per year.

Annual reports on compliance with the local content licence condition are due by 30 September each year.

According to licensees' annual reports for the period from 1 July 2010 to 30 June 2011, all but one regional commercial radio broadcasting licensee broadcast the required amount of material of local significance (Kalgoorlie S40 licensee, which reported an inability to broadcast between 2008 and 3 March 2011 due to technical difficulties).

Investigations—local content licence condition

During the reporting period, the ACMA conducted three investigations into compliance with the local content licence condition, two of which resulted in breach findings. Two of the investigations concerned compliance with the local content licence condition in the previous reporting period.

The four investigations were:

- > Burnie Broadcasting Service Pty Ltd, the licensee of 7SEA (Burnie RA1)—the ACMA's investigation concluded that the licensee did not breach the local content licence condition as it broadcast the required number of hours of local content during daytime hours for the business days 15 to 19 March 2010.
- > North Queensland Broadcasting Corporation Pty Ltd, licensee of 4MIC (Mount Isa RA1)—the ACMA found that the licensee failed to broadcast the required number of hours of local content during daytime hours for the business days 15 to 19 March 2010.
- > 2MO Gunnedah Pty Ltd, licensee of 2MO (Gunnedah RA1)—the ACMA found that the licensee failed to broadcast the required number of hours of local content during daytime hours on 27 January 2012.
- > North West Radio Pty Ltd, licensee of 6RED (Karratha RA1)—the ACMA found that the licensee complied with its obligations.

Local content and presence obligations due to a trigger event

Since April 2007, relevant regional commercial radio licensees affected by a trigger event have been obliged to:

- > maintain existing levels of local presence (local staff and facilities)
- > broadcast specified amounts of local news and information (also known as the minimum service standards).

In April 2012, the BSA was amended to:

- > exempt racing service and remote area service licences from the local presence and local news and information obligations (section 40 licences were already exempt)
- > reduce the period for maintaining existing levels of local presence to 24 months from the date of the trigger event
- > reduce the operation of the local news and information requirement from 52 weeks to 47 weeks per year.

A trigger event is currently defined as:

- > the transfer of a regional commercial radio broadcasting licence
- > the formation of a new registrable media group where a regional commercial radio broadcasting licence is in the group
- > a change of controller of a registrable media group where a regional commercial radio broadcasting licence is in the group.

However, the amendments to the BSA make changes to the definition of 'trigger event' with effect from 16 October 2012.

Once a trigger event occurs for a licence, licensees must provide the ACMA with a draft local content plan within 90 days of the trigger event. Local content plans approved by the ACMA are kept on a register available on the ACMA website. There were 94 regional commercial radio licensees affected by a trigger event as at 30 June 2012.

The ACMA's compliance strategy is based on mandatory reporting and complaints. As the electronic register of approved local content plans is available on the ACMA website, performance against obligations is transparent, enabling the public as well as the ACMA to consider compliance issues.

Investigations—local presence and local news and information

During 2011–12, the ACMA conducted two investigations into compliance with the local news and information obligations from the previous reporting period, finding breaches in both of the investigations:

- > Bundaberg Broadcasters Pty Ltd, licensee of 4RUM (Bundaberg RA1)—the ACMA found that the licensee did not:
 - > meet the minimum service standards for local news in the week 23 to 29 May 2010
 - > take all reasonable steps to ensure compliance with the approved local content plan that was in force for the licence during the week 23 to 29 May 2010.
- > Canberra FM Radio Pty Ltd, licensee of 1CBR (Canberra RA1)—the ACMA found that the licensee did not:
 - > meet the minimum service standards for local news in the week 19 to 25 June 2011
 - > take all reasonable steps to ensure compliance with the approved local content plan that was in force for the licence during the week 19 to 25 June 2011.

The ACMA agreed on compliance measures to be undertaken by the licensees so that adequate processes and procedures were put in place to address compliance.

See also *Compliance and enforcement* on page 84.

Digital broadcasting

Digital television

On 19 October 2008, the minister released a timetable for the switchover to digital television. The first area where analog free-to-air television signals were switched off was the Mildura/Sunraysia licence area in north-west Victoria, followed by the Spencer Gulf licence area in South Australia. In 2011–12, the regional Victoria, regional Queensland and southern New South Wales licence areas were switched off on 5 May 2011, 6 December 2011 and 5 June 2012 respectively. The rest of Australia is to follow a rolling timetable with the last areas to be switched off by 31 December 2013.

The completion of switchover will mean the end of free-to-air analog television broadcasting. The transition to digital means viewers will need to use digital receiving equipment to receive free-to-air broadcast television. As the regulator for spectrum management and broadcasting, the ACMA has a number of responsibilities related to the digital switchover. The ACMA worked closely with the Digital Switchover Taskforce and related areas of DBCDE during 2011–12, providing technical and regulatory advice and information on television coverage.

New technology

Emerging digital television technologies and standards such as 3D television were addressed in the ACMA's discussion paper *Beyond switchover—the future technical evolution of digital terrestrial television in Australia*, which was released for public comment in January 2012. By initiating a conversation on the future of the digital terrestrial platform, the ACMA sought industry and community comment on what action it might take to meet the challenge posed by ever-improving technical standards. Analysis of the information provided by stakeholders will enable the ACMA to consider whether action in the near term could ease the introduction of new technical standards in the longer term. These standards may deliver increased spectrum efficiencies and new and innovative services for viewers over the next decade and beyond.

Should proposals for change emerge from this analysis, the ACMA will undertake further public consultation before taking any action. The ACMA acknowledges that the government does not propose any move to new standards before switchover is completed and recognises that no action should be taken that would have a negative impact on the digital conversion and restack. However, the ACMA may take steps to facilitate technical evolution if they do not affect the switchover or restack.

Television channel planning and restack

Following discussions with the government, in early 2010 commercial broadcasters committed to rolling out additional digital transmitters to fill in coverage gaps and to convert to digital about 100 analog retransmission facilities licensed to third parties, such as local councils. The ACMA has planned approximately 120 gap-filler or retransmission conversion sites, to be funded by commercial broadcasters. As of 30 June 2012, approximately half of these have been implemented.

In February 2012, the ACMA approved new guidelines for authorising digital television retransmission services by self-help providers, such as councils. The guidelines require applicants seeking to provide digital television retransmission services to address certain matters aimed at making sure that the viewer experience of the retransmitted television service is substantially the same as that from a broadcaster-provided terrestrial service. In addition to the guidelines, the ACMA is imposing conditions on apparatus licences issued to self-help providers to achieve ongoing provision of this viewer experience. Since the guidelines were published in draft form in October 2011, the ACMA has licensed self-help retransmission services at 26 sites, following applications that contained undertakings to comply with the guidelines. Applications for self-help retransmission services at a further three sites are being considered.

In July 2010, the minister directed the ACMA on a range of issues related to the replanning of digital television to yield the 126 MHz of digital dividend. Subsequent ACMA analysis and industry consultation led to the ACMA settling restack planning principles for clearing the digital dividend. The planning principles are set out in the decision paper published by the ACMA on 26 May 2011.

In 2011–12, the ACMA, in collaboration with industry, made rapid progress in developing the detailed channel plans necessary to implement restack and clear the digital dividend for reallocation. Restack channel planning proposals were discussed with industry for all areas. Formal plans to restack digital television services and clear the digital dividend were finalised for Remote and Regional Western Australia; the regional South Australian licence areas of Riverland, Spencer Gulf and Mt Gambier/South East; and Broken Hill and the Griffith and Murrumbidgee Irrigation Area of New South Wales.

See also *Television licence area plans* on page 63, *Digital channel plans and variations* on page 65 and *Broadcasting technical standards—digital television* on page 80.

Signal measurement and field analysis

The multifaceted television coverage evaluation program (CEP) continued in 2011–12. This program contributes to identifying transmission infrastructure issues that would otherwise prevent the transmission of digital television broadcasting from achieving a number of policy objectives outlined under Part 2 of Schedule 4 of the BSA. As part of the planning process, the ACMA requires broadcasters to identify any potential transmission issues that may need to be addressed in order to comply with obligations relating to the stated conversion objectives. The ACMA also has regular and ongoing dialogue with engineers from the commercial and national broadcasters and their infrastructure providers in various professional forums.

The ACMA has an active measurement program to support the CEP. The measurement program has the capacity to identify coverage issues including areas where potential reception difficulties may be experienced. As at 30 June 2012, the ACMA has taken more than 155,209 measurements at more than 21,019 locations across Australia. In 2011–12, 57,274 measurements were taken at 9,500 locations. The areas covered by the program this year include the northern New South Wales, Tasmania, Perth, Brisbane and Adelaide licence areas. These measurements will provide detailed information about the performance of digital television under a variety of conditions and will help to inform various government-administered programs and initiatives relating to digital television.

The coverage evaluation of different switchover markets has been brought forward to adequately respond to potential changes in the switchover dates/windows for the major metropolitan markets, including Melbourne and Sydney. Bringing forward the evaluations with the intention of presenting the government with area reports ahead of schedule will allow greater time for troubleshooting and ensure a smooth rollout of digital television for the Australian public.

To date, the CEP has delivered 27 area reports to the government as part of its statutory reporting on digital television coverage. The ACMA will continue to report specific areas of deficient reception identified through the CEP and associated measurement program. This reporting also includes information on the submission of broadcaster implementation plans and rollout of digital services. Surveys and reporting for subsequent switchover areas will continue through 2012–13.

Information from the CEP continues to help inform implementation of the VAST service, including access and subsidy arrangements for those households unable to receive terrestrial digital television. Similarly, the CEP continues to provide information critical to the Digital Switchover Taskforce's MySwitch website, where households can find out if they are able to receive digital television coverage and channels, as well as information on the various assistance schemes related to the implementation of digital television.

Following extensive consultation with stakeholders including DBCDE, the ACMA recognised the need to give DBCDE further engineering support for pressing issues that may arise closer to the switchover date in each area. The CEP has now evolved into the Enhanced Coverage Evaluation Program to respond quickly to issues as they arise, providing the government with an effective troubleshooting mechanism. The Enhanced CEP also gives the government thorough and area-specific reports as well as information on coverage and reception issues related to the rollout of gap fillers. In 2011–12, four reports were presented to the government as part of the Enhanced CEP.

Report on digital television transmission and reception

The ACMA contributes to reports tabled by the minister as required under clause 5H of Schedule 4 of the BSA, which states:

On the first sitting day of each House of the Parliament after each 1 January, 1 April, 1 July and 1 October from 1 April 2009 until 1 September 2014, the minister must cause a report to be laid before each House of the Parliament containing the following information:

- (a) action taken to identify and rectify transmission infrastructure that would otherwise prevent the transmission of free to air television broadcasting services in SDTV digital mode in any area achieving the same level of coverage and potential reception quality as was achieved by the transmission of those services in analogue mode; and
- (b) the local market areas and regions where transmission issues have been identified and how many households will be affected.

The ACMA contributed to four reports in the 2011–12 financial year. The reports were tabled in parliament on 4 July and 11 October 2011, and 7 February and 8 May 2012. Subsequent contributions will be provided in accordance with time frames established between the DBCDE and the ACMA. Reports on digital television transmission and reception required under clause 5H can be found on the DBCDE website at www.dbcde.gov.au.

Viewer Access Satellite Television (VAST) service

The VAST service is a government initiative to provide people in remote areas and terrestrial digital television 'black spots' with access to a metropolitan equivalent suite of digital television services. On 14 September 2011, the ACMA registered a revised conditional access scheme for each of the South Eastern TV3 and Northern Australia TV3 licence areas. The revised schemes incorporate changes to the objectives of the schemes introduced by the *Broadcasting Legislation Amendment (Digital Dividend and Other Measures) Act 2011* and changes aimed at improving the functioning of the schemes. On 11 November 2011, the ACMA registered the conditional access scheme for the Western Australia TV3 licence area.

In addition to registering the conditional access schemes, the ACMA considers appeals from viewers who were refused access to VAST services by the scheme administrator. To date, the schemes have been working well to achieve the aim of ensuring that all Australians receive digital television services.

For information about complaints brought under the VAST schemes, see page 102.

Digital radio

Introduction of DAB+ digital radio

Digital radio services using the DAB+ standard officially commenced in Adelaide, Brisbane, Melbourne, Perth and Sydney on 1 July 2009. In July 2011, the ACMA approved a 12-month extension to trials of DAB+ being conducted in Canberra and Darwin. The ACMA has also licensed a trial of a DAB+ on-channel repeater (OCR) located in Collins Street, Melbourne. The OCR is designed to supplement the main Melbourne DAB+ signal and provide improved coverage to the Melbourne CBD. DAB+ OCRs may provide a model for DAB+ in-fill retransmissions in other digital radio markets. The ACMA has also continued to work on options for rolling out DAB+ services to regional Australia originally commenced in the context of the minister's review under section 215A of the BSA.

Spectrum management

The ACMA plans and manages the radiofrequency spectrum in Australia. It is responsible for compliance with licensing requirements and investigating complaints of interference to services. The scope of the ACMA's role includes spectrum planning, apparatus licensing, class licensing, spectrum licensing, auctions and trading, and satellite communications and space systems regulation.

As in many other countries, Australia must increasingly address the balance between growing demand for access to spectrum by new technologies and uses, and the legitimate requirements of existing users for ongoing use of spectrum. It must also address the balance between government use of the spectrum and its availability for use by the broader community. The ACMA continues to work to balance the competing demands of new uses and the defence and essential services sectors with the broader community requirements for access to spectrum as well as new technologies and spectrum management methods.

In 2011–12, the ACMA continued a number of initiatives to promote increased consultation, transparency and accountability in its radiofrequency spectrum management functions. These initiatives included:

- > commencing processes for expiring spectrum licences, including consideration of reissue of licences to current licensees
- > releasing the *Five-year spectrum outlook 2012–2016*
- > consulting on a proposal to recommend to the minister that he designate the 2.5 GHz mid-band gap for spectrum licensing
- > continuing work with incumbent users of the 2.5 GHz band for electronic news gathering (ENG) on relocating to other frequency bands and to ensure orderly accommodation of ENG
- > continuing work on developing arrangements to support the Square Kilometre Array radio telescope through mechanisms intended to ensure appropriate levels of radio quietness
- > issuing public consultation papers intended to initiate discussion and provide guidance on improving tenure for Earth station operations and clarify licensing arrangements for Earth receive stations

- > undertaking consequential work from the ACMA's involvement in developing revised treaty arrangements with the European Space Agency for the use of radiofrequency spectrum to support its requirements for communications with space satellites and space exploration missions
- > implementing the streamlined and more strategic Radiocommunications Consultative Committee
- > releasing the discussion paper *Planning for mobile broadband within the 1.5 GHz mobile band—An assessment of the current and potential future use of the 1427.9–1510.9 MHz band* to consider potential use of the 1.5 GHz mobile band for mobile broadband services
- > working with public safety agencies towards realising a nationally interoperable public safety mobile broadband network and to ascertain their spectrum requirements in the 800 MHz band.

Allocation of 700 MHz and 2.5 GHz bands

The digital dividend auction

The ACMA is preparing to allocate spectrum in the 700 MHz (digital dividend) and 2.5 GHz bands as spectrum licences through a single auction in April 2013. While the auction will be used to allocate spectrum in both the 700 MHz and 2.5 GHz bands, it is referred to simply as 'the digital dividend auction'.



Professor Peter Cramton from Power Auctions presented at the ACMA's digital dividend auction workshops in Sydney and Melbourne.

The decision to allocate the two bands through a single auction process reflects the strongly complementary nature of the bands for advanced mobile telecommunications. The reallocation of this spectrum will respond to the soaring demand for mobile broadband data as well as provide capacity to develop new products.

The auction will be run online using a combinatorial clock auction (CCA) format. The CCA is a price clock-based auction method used to sell multiple items in a single process.

In the reporting period, the ACMA undertook a range of activities to prepare for the auction. These included:

- > Following a period of industry consultation, giving formal recommendations to the minister under section 153F of the Radiocommunications Act to make spectrum reallocation declarations for parts of the 700 MHz and 2.5 GHz bands. This mandatory step means that any reallocation process is subject to proper consultation with incumbent licensees.

On 1 November 2011, the minister made the following spectrum reallocation declarations under section 153B of the Act:

- > Radiocommunications (Spectrum Re-allocation) Declaration No. 1 of 2011—for the 700 MHz band
- > Radiocommunications (Spectrum Re-allocation) Declaration No. 2 of 2011—for the 2.5 GHz band.
- > Engaging US-based firm Power Auctions LLC to supply spectrum auction capability, implementation and related advisory services.
- > Holding a public forum—the *Digital dividend auction tune-up*—in Melbourne to inform stakeholders about the various elements of the auction preparations and the ACMA's preliminary thinking on the auction rules and procedures.
- > Conducting several rounds of preliminary consultation on key elements of the auction rules and procedures through the ACMA's *engage* website.

- > Conducting two rounds of formal consultation, including an online presentation, on draft versions of instruments that will provide the legal basis for the auction. Together, the final versions of the instruments will describe the products being offered in the auction, the auction rules and procedures, and technical rules for operating radiocommunications devices in the spectrum-licensed bands.
- > Holding public workshops in Melbourne and Sydney to give stakeholders detailed information about the CCA format and procedures to be used in the auction.

In 2012–13, the ACMA will continue to engage with prospective bidders and other stakeholders during the lead-up to the auction. This will include providing bidder training and support material, and conducting two mock auctions to allow prospective bidders to practise using the online auction system in a simulated auction environment.

See also *Conversion of the 2.5 GHz mid-band gap* on page 56.

Relocation of ENG services

The ACMA continued to plan for the relocation of ENG services (used for wireless video coverage of news and sporting and cultural events) from the 2.5 GHz band.

In March 2012, the ACMA made the Television Outside Broadcast Services (1980–2110 MHz and 2170–2300 MHz) Frequency Band Plan. The band plan supports the use of the 1980–2110 MHz and 2170–2300 MHz frequency bands by ENG services and planned events such as wireless video coverage of sporting events, which also operate in the 2.5 GHz band.

Planning for the relocation of ENG services is continuing with the development of coordination arrangements. That work will continue through 2012–13.

Radiocommunications

Stakeholder engagement

Radiocommunications Consultative Committee (RCC)

In 2011, the ACMA implemented the outcomes of the formal review of the structure and mandate of the RCC. The new streamlined focus of the RCC is intended to position it as a peak consultative body on new and emerging radiocommunications and spectrum management issues.

The primary stated role of the RCC is to look *beyond* day-to-day spectrum management and radiocommunications issues, and engage in a strategic, forward-looking manner at evolving issues for industry and the ACMA.

RadComms2012

The ACMA held its sixth national conference on spectrum management, *RadComms2012*, on 6 and 7 June 2012 in Melbourne, attracting more than 200 radiocommunications professionals from across industry and government. Delegates had the opportunity to hear the latest spectrum developments, participate in open forums and exchange ideas with both international and national radiocommunications professionals on a wide range of topics, including the fingerprints of nature, spectrum reform developments and mobile broadband developments.

The theme for *RadComms2012*, 'Spectrum—beyond broadband', looked at uses of spectrum beyond mobile communications; for example, measuring and monitoring the world and universe around us. A highlight of the conference was the presentation by Compton Tucker, senior research scientist in the Earth Sciences Division at NASA's Goddard Space Flight Center, who discussed NASA's observations of climate change using satellites. Participants also discussed other spectrum uses such as radioastronomy, weather observation and public safety systems.

Spectrum tune-ups

On 4 November 2011, the ACMA held the *Digital dividend spectrum auction tune-up* at Etihad Stadium in Melbourne to inform stakeholders about the planned allocation of 700 MHz (digital dividend) and 2.5 GHz spectrum as spectrum licences through a single auction in April 2013. Speakers from the ACMA, the ACCC and DBCDE presented on a range of related matters, including:

- > the combinatorial clock auction format to be used in the auction
- > government policy issues
- > cartel conduct and joint venture issues
- > the consultative process by which the ACMA intends to develop the auction rules and procedures
- > related time frames.



Malcolm Long presenting on spectrum issues and the Convergence Review at RadComms2012, the ACMA's sixth national conference on spectrum management.

Attendees had the opportunity to share their views at Q&A sessions, with constructive discussion on auction-related issues with the regulatory agencies represented.

On 29 November 2011, the ACMA held a *Satellite issues workshop* at its Canberra office. The workshop was timed to give industry key information on the ACMA's release—on 20 October 2011—of the Australian procedures for the coordination and notification of satellite systems. The release of these procedures gives the satellite industry a transparent set of guidelines to follow to coordinate satellite systems—from the initial assessment of a proposed satellite system to the eventual cessation of a system.

The workshop also included presentations on the licensing and siting of Earth receive stations, areas of increasing complexity for industry. The ACMA discussed in detail its strategic approach to meeting future requirements for satellite Earth stations and space communications in a sustainable way.

The workshop was well attended, with more than 40 members of the satellite industry coming together to discuss a range of topical issues.

International activities

The ACMA participated in a number of national, regional and international radiocommunications meetings as part of key preparatory work for the International Telecommunication Union (ITU) World Radiocommunication Conference (WRC-12), which was held in Geneva from 23 January to 17 February 2012.

As the United Nations specialised agency for information and communication technologies, the ITU convenes a World Radiocommunication Conference every three to four years. Under section 299 of the Radiocommunications Act, the ACMA is required to have regard to 'any agreement, treaty or convention, between Australia and another country or countries, that makes provision in relation to radio emission'.

Australia, as a Member State of the ITU, participates in the technical studies and regulatory preparation for the conferences. In 2008, the ACMA commenced preparations for WRC-12 by convening its Preparatory Group, which is a peak stakeholder advisory group to the ACMA. The Preparatory Group consisted of ACMA representatives and other key Australian Government and industry radiocommunication interests. This work was supported by the Australian Radiocommunications Study Groups (ARSGs), which develop inputs to the ITU-R Study Group process and advise the ACMA on international radiocommunications issues associated with WRC-12.

In developing Australia's positions on WRC-12 Agenda items, the Preparatory Group was required to take into account information from other ITU regions and administrations. Australian delegations, generally consisting of Preparatory Group or ARSG members, participated in numerous international and regional meetings, including key meetings of the ITU-R and Asia-Pacific Telecommunity (APT). These meetings developed technical and regulatory material in preparation for WRC-12 as well as ongoing work on general ITU-R Recommendations and Reports of international radiocommunication activities and standards.

The ACMA coordinated Australia's involvement in the Asia-Pacific regional preparations through the APT, which organised a series of five meetings devoted to developing APT Common Proposals to WRC-12. This process provided the opportunity to canvass Australian Preliminary Views and establish a broad regional consensus favourable to Australia on the majority of WRC-12 Agenda items. At the fifth and final APG2012 meeting in Busan, Korea, from 29 August to 3 September 2011, Australia successfully incorporated the majority of Australian Positions in the APT Common Proposals to WRC-12.

At WRC-12, the ACMA led a delegation of 38 representatives from government and industry. WRC-12 reviewed and revised provisions of the ITU's Radio Regulations, the international treaty governing the global and regional use of radiofrequency spectrum and satellite orbits. The outcomes of WRC-12 were largely in line with Australia's positions developed through the preparatory process.

The Australian Delegation at WRC-12 was instrumental in achieving:

- > worldwide allocations to oceanographic radars
- > substantial improvements to the Radio Regulations on maritime issues
- > a 300 MHz primary allocation to radiolocation service (radar)
- > a primary allocation to the space research service around 23 GHz for new sophisticated services transmitting in the Earth-to-space direction—this will support future NASA and international space missions to the moon and beyond
- > a new Agenda item for WRC-15 to identify candidate bands for future IMT (mobile and broadband) applications.

Additionally, the Australian delegation was a major contributor to the important regional activities at WRC-12 through the APT coordination process. Australia had two APT Working Group chairs and four Agenda item coordinators representing influential Asia-Pacific interests at WRC-12.

Immediately prior to WRC-12, an Australian delegation attended the ITU Radiocommunications Assembly (RA-12) in Geneva. The Assembly is the ITU-R's peak management forum to review and plan the work of Study Groups responsible for developing technical Recommendation and Reports on international radiocommunication and spectrum matters. In practice, the RA marks the end of each WRC study period and the beginning of the next. An Australian delegation led by the ACMA, and comprising 10 delegates from government and industry, attended the RA.

The ACMA also led Australian delegations to two meetings of the Asia-Pacific Telecommunity Wireless Group (AWG) held in China from 10–13 April 2011 and Thailand from 13–17 September 2011. The objectives of the AWG include developing cost-effective and timely radiocommunications solutions, sharing information on radio technologies and harmonising spectrum usage in the Asia-Pacific region. At both meetings, Australia took a lead role in establishing and progressing work on harmonised arrangements to realise maximum benefit from the future use of digital dividend spectrum as it becomes available in the region.

During 2011–12, a total of 117 Australian delegates participated in 32 meetings of ITU-R Study Groups and working parties, where 84 Australian contributions were presented.⁵

Five-year spectrum outlook 2012–2016

In keeping with Program 1.1: Communications regulation, planning and licensing, the ACMA released the *Five-year spectrum outlook 2012–2016* on 11 May 2012. It is a living document and is open to industry comment at all times. The ACMA will review and update the outlook annually so that it reflects current demands and priorities.

The outlook outlines the ACMA's assessment of the demand for different parts of the radiofrequency spectrum. It provides an avenue for discussion with all spectrum users about emerging pressures for changing approaches to spectrum management and the ACMA's work plan. In 2011–12, the ACMA released the outlook as an electronic magazine (e-mag) for the first time, viewable on smartphones, tablets and PCs.

The cornerstone of the outlook is an overview of spectrum demand drivers, the ACMA's top spectrum projects over the five-year period and specific work plan priorities for 2012–13. The top spectrum projects include:

- > reallocation and conversion of the 700 MHz and 2.5 GHz bands, as part of the digital dividend auction process
- > expiring spectrum licences
- > smart infrastructure
- > the concept of an 'infrastructure park', where industries can share spectrum.

The outlook fulfils the ACMA's commitment to:

- > provide a useful summary of important spectrum management policies and priorities
- > provide greater insight and transparency for industry stakeholders
- > facilitate discussion between the ACMA and stakeholders.

⁵ These figures exclude delegation and contributions to WRC-12 and the Radiocommunication Assembly, which are discussed separately.

Expiring spectrum licences

Fifteen-year spectrum licences were first issued in the late 1990s and early 2000s and are now approaching expiry. Some of these spectrum-licensed bands are used to deliver high-value telephony and broadband services.

On 9 February 2012, the minister announced that he had made a 'class of services' determination that it would be in the public interest to reissue licences to incumbent licensees providing they have used the licence to provide the following services:

- > mobile voice and data communications services in the 800 MHz, 1800 MHz and 2 GHz bands
- > wireless broadband services in the 2.3 GHz and 3.4 GHz bands
- > satellite services in the 27 GHz band.

The making of this determination allowed the ACMA to begin the administrative processes for considering reissuing those licences in the bands specified in the class of services determination. Where licences are not reissued, the ACMA will develop reallocation processes. The ACMA's policy is to provide both incumbent and prospective licensees with certainty, where possible, on the outcome of expiring spectrum licences in each band approximately 18 months before licence expiry.

The ACMA is also taking the opportunity provided by the approaching licence expiry to review the technical and regulatory frameworks for spectrum licences to ensure that they remain robust and able to accommodate technologies likely to be deployed over the next 15-year licence term. In March 2012, the ACMA released a discussion paper outlining a number of incremental changes to the spectrum licence regulatory framework. The proposed changes will support all spectrum licences issued from 2012 and provide increased flexibility and greater spectrum utility.

In addition, the ACMA is working with licensees and other interested parties in 'technical liaison groups' to review the technical framework for each spectrum-licensed band. The technical liaison group process is conducted for each band as the date of the spectrum licence expiry approaches. In 2011–12, the ACMA completed the review of technical frameworks for the 800 and 1800 MHz bands and commenced reissue processes for the 800 MHz band spectrum licences.

Table 2 provides a summary of the spectrum-licensed frequency bands and bandwidths, the year in which the licences expire and the type of service for which the applicable technical framework is optimised.

Table 2: Expiry of spectrum licences

Band	Frequencies	Expiry	Main use
800 MHz	825–845 MHz 870–890 MHz (paired)	June 2013	Public mobile telephony
1800 MHz	1710–1755 MHz 1805–1850 MHz (paired)	June 2013	Public mobile telephony (GSM, GSM-R) ⁶
28 and 31 GHz	27.5–28.35 GHz (unpaired) 31.0–31.3 GHz (unpaired)	January 2014	Wireless access services
1800 MHz	1755–1785 MHz 1850–1880 MHz (paired)	May 2015	Public mobile telephony (GSM, GSM-R)
2.3 GHz	2302–2400 MHz	July 2015	Wireless access services
3.4 GHz	3425–3442.5 MHz 3475–3492.5 MHz (paired) 3442.5–3475 MHz 3542.5–3575 MHz (paired)	December 2015	Wireless access services
27 GHz	26.5–27.5 GHz	January 2016	Wireless access services, satellite gateway
2 GHz	1900–1980 MHz 2110–2170 MHz	October 2017	Public mobile telephony (3G)
20 and 30 GHz	20.2–21.2 GHz 30–31 GHz	April 2021	Satellite operations

⁶ GSM-R is a system based on the GSM standard that provides communication and control for railway traffic and signals.

400 MHz band implementation

In 2011, the ACMA commenced implementing the outcomes of its review of the 400 MHz band (403–520 MHz). One of the key achievements of the review was to provide harmonised spectrum for use by government agencies.

Under the new arrangements, several segments in 403–470 MHz have been identified for the exclusive use of government, primarily to support national security, law enforcement and emergency services, but also for broader government use once these requirements are met. The ACMA has developed these arrangements in close consultation with individual stakeholders, relevant committees and peak industry groups. The final arrangements complement the objectives developed by these groups and the Council of Australian Governments (COAG)-agreed national framework for improved radiocommunications interoperability. The interoperability of state and federal emergency services will be enhanced as a result of these new arrangements.

As well as substantial changes to the overall structure of the band through the creation of harmonised government spectrum and revised frequency splits, the outcomes of the review include improvements to underlying technical arrangements in the band. This includes a reduction in channel bandwidths and updates to the assignment and coordination rules.

Another key outcome of the review was an increase in the technology options able to be supported in the band. Changing the frequency duplex arrangements in the 450–470 MHz band and changing the channelling scheme opens up options for technologies requiring such arrangements. These systems were not supported under previous arrangements.

The ACMA intends to finalise transition to the new arrangements by 31 December 2015 in areas where congestion is defined, and by 31 December 2018 outside of these areas.

Stakeholder engagement

The ACMA consulted extensively during the review, including through several ACMA and external conferences.

Implementation activities

The ACMA is currently working on a number of planning, policy and pricing issues relating to the transition arrangements. These are outlined in the paper *The way ahead: Timeframes and implementation plans for the 400 MHz band*. The paper also discusses the final decisions made for transitioning arrangements in the band.

The ACMA acknowledges that transitioning to the new arrangements is challenging for many users, and it continues to work closely with licensees in the band and Accredited Persons to support transition arrangements. The final outcomes of the review will minimise the impact on existing users while achieving the review objectives of government spectrum harmonisation, increased technology flexibility, and greater efficiency of allocation and use. Furthermore, once transition is achieved, the need for further ACMA intervention in the band will be low.

The implementation of key aspects of the review is progressing well. A number of milestones have been met in this reporting period, including:

- > reverting the 500 MHz band from spectrum to apparatus licensing
- > finalising consultation on the use of opportunity-cost pricing for the 400 MHz band
- > introducing a range of pricing incentives to facilitate moves to more efficient channelling and power arrangements
- > commencing the transition of licensees from high-power simplex services in high- and medium-density areas to low-power services.

Reversion of 500 MHz band from spectrum to apparatus licences

As part of the implementation of the new 400 MHz band, on 31 May 2012 all spectrum licences in the 500 MHz band expired. Prior to that date, the ACMA worked with licensees in the band to ensure they were able to convert any wanted device registrations to apparatus licences.

Taxation changes for licensees in the 400 MHz band

Introducing opportunity-cost pricing

In January 2010, the ACMA announced that it would consider the use of opportunity-cost pricing for annual fees for administratively allocated spectrum as one of a suite of tools for managing spectrum.

When applied, the opportunity-cost pricing of administratively allocated spectrum would supplement traditional tools such as technical frameworks and licensing arrangements. The opportunity cost of part of the radiofrequency spectrum is the highest value use that is denied by granting access to one party rather than to the alternative. Opportunity-cost pricing contributes to the ACMA's first two principles for spectrum management.

Prices that better reflect the opportunity cost of spectrum are designed to create incentives for spectrum-holders to return spectrum when they are using it for a lower value use or not at all. This spectrum can then be put to more productive use by spectrum-holders willing to pay the opportunity-cost price. This incentive will enable and encourage spectrum to move to its highest value use or uses over time.

In *The way ahead*, the ACMA reaffirmed that it would introduce opportunity-cost pricing for the 403–520 MHz band. In April 2012, the ACMA released the *Adoption of opportunity-cost pricing in the 400 MHz band* for a six-week consultation period, in which it proposed to increase apparatus licence taxes to \$199 per kHz over a five-year period in high-density areas of the 400 MHz band, starting in 2012. The ACMA received 15 submissions to this paper. Following consideration of those submissions, the ACMA will seek to amend the Radiocommunications (Transmitter Licence Tax) Determination 2003 (No. 2) and Radiocommunications (Receiver Licence Tax) Determination 2003 (No. 2) to introduce the first of the incremental changes to the taxes.

Financial incentives for licensees in the 400 MHz band

As part of the implementation of the 400 MHz band review, the ACMA foreshadowed the provision of financial incentives when it released *The way ahead*.

Following amendments to the Radiocommunications (Receiver Licence Tax) Determination 2003 (No. 2) and the Radiocommunications (Transmitter Licence Tax) Determination 2003 (No. 2), apparatus licence pricing incentives were introduced in 2011–12. These were designed to assist with transition and mitigate some of the effects for those apparatus licensees in the 400 MHz band who will be required to relocate either elsewhere within the band or to other bands.

The amendments give eligible licensees a 50 per cent reduction in the apparatus licence tax from the time they relocate until 31 December 2015. In addition, eligible licensees who relocate within the specified time frame will also be eligible to hold two spectrum accesses, while being charged the equivalent of one. This incentive is for six months, or until their deadline for relocating in order to receive the licence tax discount, whichever comes first. This opportunity is available once for each assignment.

Changes in definitions in the Tax Determination

To treat licensees consistently, in May 2012 the ACMA amended the definition of the 'point-to-multipoint station (land mobile spectrum)' in the Radiocommunications (Transmitter Licence Tax) Determination 2003 (No. 2). This was an outcome of the 400 MHz review, which included reverting spectrum licences in the 500 MHz band to apparatus licences and including the 420–430 MHz segment of spectrum for government users.

Mobile broadband project

The ACMA is considering spectrum requirements for future mobile broadband services, noting that stakeholder demand for access to spectrum is increasing.

As an initial step to address this increasing demand, the ACMA released the discussion paper *Towards 2020—Future spectrum requirements for mobile broadband*. This paper identified the baseline spectrum requirements for future mobile broadband services and identified a number of possible frequency bands under 6 GHz, including the 1.5 GHz mobile band, that could be used to meet that expected demand up to 2020.

The ACMA is currently developing a response to the submissions received to *Towards 2020*.

The ACMA also released the discussion paper *Planning for mobile broadband within the 1.5 GHz mobile band* in May 2012. The paper investigated the potential use of the 1427.9–1510.9 MHz band (the 1.5 GHz mobile band) for mobile broadband services.

Conversion of the 2.5 GHz mid-band gap

Between May and July 2011, the ACMA consulted on a proposal to recommend to the minister that he make a notice designating the frequency range 2570–2620 MHz (the 2.5 GHz mid-band gap) to be allocated by issuing spectrum licences. This notice would mean that the ACMA would be able to convert existing apparatus licences in the 2.5 GHz mid-band gap to 15-year spectrum licences.

The consultation process showed general support for the designation proposal and the ACMA made the recommendation to the minister. On 24 February 2012, the minister made the Radiocommunications (Spectrum Designation) Notice No. 1 of 2012 in relation to the 2.5 GHz mid-band gap. This allowed the ACMA to commence processes to convert existing ENG apparatus licences—held by the free-to-air commercial broadcasters and the Australian Broadcasting Corporation—to spectrum licences. The ACMA intends to consult on a draft conversion plan in early 2012–13.

This is one of the outcomes of the review of the 2.5 GHz band and long-term arrangements for ENG, which the ACMA commenced in 2010. The conversion process is an important part of providing long-term certainty for ENG operators. Certainty is also provided by the creation of the Television Outside Broadcast Services (1980–2110 MHz and 2170–2300 MHz) Frequency Band Plan.

See also *Relocation of ENG services* on page 49.

Proposed mobile phone jammer trial at Lithgow Correctional Centre

In 2009, the Corrective Services Administrators Council (CSAC) lodged a submission with the ACMA that set out:

- > the extent to which mobile phones are illegally used by inmates
- > the steps that had already been taken to prevent or minimise the illegal use of mobile phones by inmates
- > the public benefits that could be expected if the deployment of mobile phone jammers in correctional facilities was permitted.

Corrective Services NSW (CSNSW) conducted bench testing during the first quarter of 2011 to examine the suitability of jamming devices for use in a field trial at Lithgow Correction Centre. CSNSW tested the specifications of the devices with a view to nominating an appropriate device for the field trial. In its report to the ACMA, CSNSW nominated one device for field deployment. In late 2011, CSNSW advised the ACMA that the proposed field trial of jammers would be delayed and it is now anticipated the trial will commence in January 2013.

Deployment of bodyscanner devices at Australia's international airports

In late 2011, the Department of Infrastructure and Transport sought assistance from the ACMA to identify an appropriate regulatory solution to support the ongoing deployment of bodyscanner devices at Australia's international airports. This followed a trial of the devices at Sydney and Melbourne airports in July 2011.

In March 2011, the devices were demonstrated at Parliament House during parliament's consideration of the Aviation Transport Security Amendment (Screening) Bill 2012, which supports the deployment of body scanners.

In May 2012, the ACMA consulted publicly on the proposed regulatory arrangements and expects to make its decision on appropriate licensing arrangements in the next reporting period.

Trial of advanced power limit for advanced amateurs

The Wireless Institute of Australia (WIA) requested that the ACMA allow advanced amateur licensees to apply for a variation of their licence to permit higher power from a fixed location.

In March 2012, the ACMA facilitated a 12-month trial whereby advanced amateurs could apply on an individual basis for an increase in transmitter output power to 1000 watts peak envelope power in bands where the amateur service is primary.

The ACMA anticipates the trial will progress to ongoing regulatory arrangements, which will be developed in consultation with the WIA.

LTE trials in the 700 MHz band

On 15 September 2011, the ACMA issued a scientific licence to Optus Mobile Pty Ltd to conduct a trial of Long Term Evolution (LTE) technology using the 700 MHz band in Bendigo. The licence is valid for 12 months and will expire on 14 September 2012.

On 27 April 2012, the ACMA issued a scientific licence to Motorola Solutions Australia Pty Ltd to conduct a trial of LTE technology using the 700 MHz band in Perth. The licence commenced on 1 June 2012 and will expire on 30 November 2012.

Space regulation

The ACMA is responsible for fulfilling Australia's obligations as a member of the ITU. In relation to regulation of space activities, the ACMA supports the filing of Australian satellite networks with the ITU and actively works with prospective satellite operators in meeting these obligations. The ACMA also provides the interface with other ITU administrations in coordinating Australia's satellite spectrum requirements.

The ACMA made 462 assessments of publications in the reporting period for proposed foreign satellite networks, initiating coordination processes (where necessary) with foreign administrations on their proposed satellite networks with Australian spectrum requirements and responding to their reciprocal requests of Australia. This role helps to protect Australian interests and maximise the benefits of spectrum/orbital resources through working cooperatively with other ITU Member Administrations.

The ACMA also provides ongoing advice to Australian Government agencies and the Australian space community on space radiocommunications. During the reporting period, the ACMA provided advice on:

- > activities of the European Space Agency
- > regulatory matters for Australian satellite operators and the radiofrequency community.

Radiocommunications research and analysis

As part of its mandate to maximise the overall public benefit derived from use of spectrum, the ACMA continuously looks for ways that it can improve the management and use of spectrum in Australia.

The ACMA continues its ongoing program of examining the existing current spectrum management framework with a view to identifying potential options for improving its efficiency, effectiveness and transparency. This includes:

- > analysing trends in spectrum holdings to identify areas of future demand and congestion
- > exploring the merits of various spectrum access arrangements, including potential models for private band management
- > assessing the ACMA's spectrum planning and frequency assignment policies and practices to identify any restrictions that may result in inefficient spectrum use, both now and in the future
- > researching trends in spectrum management and examining how other spectrum regulators are approaching challenges such as increasing spectrum demand, convergence and facilitation of greater spectrum sharing.

Allocation and licensing

Market-based resource management

Market-based resource management makes a significant contribution to the efficiency of the communications sector. In particular, it contributes to the efficient planning, allocation and use of national resources such as radiofrequency spectrum and smartnumbers (freephone and local-rate telecommunication numbers).

Public benefit will generally be maximised where resources are allocated to their highest value use or uses—those that maximise the value licensees, consumers and the wider community derive from the resource. Market-based approaches such as auctions and opportunity-cost pricing are accepted as normally being the most efficient means of allocating scarce resources to their highest valued use or uses. The ACMA uses market-based approaches to resource management to maximise the efficient allocation and use of resources. In turn, this maximises opportunities for current and future licensees.

Auctions are used to allocate all smartnumbers, as well as spectrum in bands and areas where demand exceeds supply.

The last major Australian spectrum auction was in March 2001. In the past 10 years, spectrum regulators have refined the approaches used to auction spectrum. In preparation for the forthcoming auction of the 700 MHz and 2.5 GHz spectrum, the ACMA has consulted with stakeholders and worked with consultants to:

- > review developments in auction theory and spectrum auctions
- > consider how well the auction formats reviewed will meet the ACMA's auction design objectives given the likely characteristics of the spectrum and bidders
- > draft auction rules that reflect current best practice.

The ACMA supports a secondary market for trading of spectrum and smartnumbers to reallocate resources to higher value uses when market values change after the ACMA's initial allocation.

Radiocommunications licensing

Apparatus licensing

Apparatus licences can be issued for any period ranging from one day to a maximum of five years. The majority of licences are for one year with annual renewals thereafter.

The ACMA issues apparatus licences that require frequency assignment coordination (assigned licences) as well as apparatus licences where no frequency assignment coordination is required (non-assigned licences).

The ACMA's key performance indicator (KPI) for the issue of licence applications requiring frequency assignment is to have completed 60 per cent of applications within 30 days of receipt. For licence applications not requiring frequency assignment, the ACMA has established a KPI of completion of 100 per cent of applications within 14 days of receipt.

During 2011–12, the ACMA exceeded the KPIs for licences requiring frequency assignment, with 87.8 per cent of applications being completed within 30 days. The ACMA was under the KPIs for licences not requiring frequency assignment, with 91.71 per cent of all applications completed within 14 days of receipt. The small number of applications that were not completed within these KPIs were those requiring more complex assessment.

New licences

In 2011–12, 13,882 new apparatus licences were issued, bringing the number of current licences at 30 June 2012 to 163,270 (see Table 51 in Appendix 4). During the reporting period, 150,291 licences were renewed or carried over as multi-year licences. There are currently nine multi-year licences issued. The number of new licences issued for each of the last three years has grown from 11,259 in 2009–10 and 11,507 in 2010–11 to 13,882 in 2011–12. Over the same period, the annual number of apparatus licences issued has averaged 12,216.

A total of \$149.060 million in licence tax and charges revenue was received in 2011–12 (see Table 3).

Price-based apparatus licence allocations

Low-power open narrowcasting licences

Every three months, the ACMA offers to allocate low-power open narrowcasting (LPON) licences and holds auctions where there are competing applications. LPON licences allow for the provision of niche radio services, such as tourist radio and racing information, or ethnic and religious programming. They operate at very low power outputs and serve relatively small areas. During 2011–12, the ACMA allocated an additional 61 LPON licences, raising revenue of \$23,500.

Spectrum licensing

Spectrum auction capability

Following a comprehensive review of auction methods and IT capability, the ACMA procured spectrum auction services to support future spectrum auctions, including the allocation of spectrum licences in the 700 MHz (digital dividend) and 2.5 GHz bands.

The ACMA engaged the US-based firm Power Auctions LLC to supply spectrum auction capability, implementation and related advisory services. Under the terms of the contract, Power Auctions will:

- > provide a customised combinatorial clock auction system to implement the digital dividend auction
- > train ACMA auction management staff and prospective bidders in the use of the online system
- > provide expert advisory services to support the ACMA's development of auction procedures for the combinatorial clock auction methodology.

The ACMA also engaged the US-based firm Computech Inc. to supply simultaneous multi-round ascending auction capability. Such capability may be used to auction spectrum in bands other than the digital dividend's 700 MHz or 2.5 GHz bands.

2.3 GHz band—unallocated spectrum licences

On 21 April 2011, the ACMA commenced the allocation process for unallocated spectrum licences in the 2.3 GHz band by releasing an Applicant Information Package, which contained:

- > an overview of the 48 residual lots that were being allocated
- > a guide to the allocation process
- > information about regulatory requirements that apply to the allocation process, the auction and the spectrum licences obtained
- > application documents to be completed and submitted by 1 June 2011.

The residual lots that were offered for allocation were in regional and remote Australia and include areas in New South Wales, Queensland, South Australia, Western Australia and the Northern Territory. The ACMA received applications from NBN Co Ltd, Telstra Corporation Ltd and BKAL Pty Ltd, a subsidiary of Unwired Australia Pty Ltd, with 40 of the 48 lots offered being contested.

Table 3: Radiocommunications apparatus licences, 30 June 2012

Type of licence	Revenue 2011–12 (\$m)
<i>Assigned licences</i>	
Public telecommunications service	56.252
Fixed	55.188
Land mobile	18.397
Satellite*	6.521
Defence	10.229
Other	1.230
Total assigned licences	147.817
<i>Non-assigned licences</i>	1.243
Total	149.060

*Includes Earth, space, Earth receive and space receive licences.

The ACMA conducted an auction for the contested lots on 13 July 2011. The highest bidders bid a total of \$1,671,350 for the 40 licences. NBN Co Ltd was the successful applicant for 24 of the lots, Telstra Corporation Ltd won 12 of the lots and BKAL Pty Ltd won four of the lots. The remaining eight lots were allocated to BKAL Pty Ltd, the sole applicant, at the pre-determined price.

27 GHz residual spectrum allocation

The ACMA called for applications for residual spectrum in the 27 GHz band in March 2012. NBN Co Ltd was the sole applicant for five of the available licences. Licences were allocated to NBN Co Ltd at Central Queensland, Perth, regional New South Wales, the south coast of New South Wales and Tasmania in May 2012. The remaining 14 licences remain unsold.

Spectrum licence trades

NBN Co Ltd acquired three licences in the 28 GHz band from AAPT Ltd. AAPT retained two licences in the band.

Class licensing

Low interference potential devices

Low interference potential devices include a wide range of low-power radio transmitters used by the public every day, such as garage door openers, wireless local area networking equipment and wireless identification tags. Operation of these common devices without individual coordination is accomplished through class licensing. The ACMA’s class licensing arrangements provide a no-cost-to-the-user authorisation to operate such equipment, without the need to issue individual licences.

The rapid development of radio technology leads to significant numbers of enquiries from equipment importers who seek the inclusion of new equipment items with class licences. However, before the operation of a device can be covered by a class licence, planning studies must be conducted to determine a set of common characteristics to make sure that the operation of these devices represents a low interference risk to existing Australian radiocommunications services.

The Radiocommunications (Low Interference Potential Devices) Class Licence 2000 (the LIPD class licence) is regularly varied to maintain currency and keep pace with technological development. The ACMA did not make any changes to the LIPD in 2011–12.

New band plan

In July 2011, the ACMA made new regulatory measures to provide enhanced protection for the Mid West Radio Quiet Zone (the RQZ), located in remote Western Australia, and to further support Australia’s bid to host the Square Kilometre Array (SKA). To protect the RQZ, the ACMA had previously used administrative arrangements including Embargo 41 and Radiocommunications Assignment and Licensing Instructions (RALI) MS32. The new arrangements, including the Radiocommunications (Mid-West Radio Quiet Zone) Frequency Band Plan 2011, followed extensive consultation that included the release of a discussion paper on the proposed changes in October 2010.

Accredited Persons scheme

The ACMA accredits appropriately qualified persons to assist radiocommunications licensees. Accredited Persons (APs) issue frequency assignment certificates for apparatus licences and interference impact certificates for spectrum licences.

In the 2011–12 financial year, the number of APs decreased from 57 to 53 (see Table 4). This reduction was a result of the review of the AP scheme that the ACMA completed in 2010–11. The ACMA has introduced a process that provides for withdrawal of accreditation from APs who have been inactive for at least two years, as well as those who have notified the ACMA that their accreditation is no longer required. Notwithstanding this net reduction, the ACMA accredited eight new applicants in 2011–12.

Table 4: APs, 30 June 2008 to 30 June 2012

Number of APs	30 June 2008	30 June 2009	30 June 2010	30 June 2011	30 June 2012
	66	67	69	57	53

Table 5 shows the frequency assignments made by APs and the ACMA assigners over the last five years for apparatus licences. The percentage of assignments made by APs increased by five per cent in 2011–12.

APs register all devices that require authorisation to operate under a spectrum licence, supporting the self-regulatory approach to spectrum management that spectrum licensing introduced in 1997. This approach allows licensees to take responsibility for much of the administration related to their spectrum licences. In 2011–12, APs registered 64,249 devices operated under spectrum licences.

Changes to the AP scheme

In 2011–12, the ACMA implemented recommendations from the review of the AP scheme. The review, which concluded in November 2010, was designed to make sure that the scheme continues to provide a successful market-based solution for frequency coordination and emission level management.

- > Taking effect from 1 July 2011, changes were made to the Radiocommunications (Accreditation – Prescribed Certificates) Principles 2003 to: Recognise the qualifications of New Zealand Approved Radio Engineers and Approved Radio Certifiers as equivalent qualifications for accreditation. This means people with these New Zealand qualifications are eligible to apply for accreditation as an AP in Australia.
- > Remove the requirement for a Deed of Indemnity from Commonwealth agencies subject to the FMA Act. The requirement for a Deed of Indemnity for individuals and organisations not governed by the FMA Act remains.

- > Allow for the withdrawal of accreditation if an AP has been inactive for at least two years, in order to ensure that the skills of APs are current. In such cases, APs are given the opportunity to show cause why they should not have the accreditation withdrawn.

As a result of these changes, four applications for accreditation were received from people employed by Commonwealth agencies subject to the FMA Act and the accreditation of 12 inactive APs was withdrawn.

The process of reviewing and improving technical documentation for APs, and increasing the availability of relevant information through the ACMA website also continued during 2011–12.

Certificates of proficiency and operator examinations

Marine radio operator certification services
The Australian Maritime College (AMC) in Launceston has provided marine radio operator certification and examination services on behalf of the ACMA since 2002. The Deed of Agreement between the AMC and the ACMA expires on 31 July 2012. In 2011, the ACMA conducted a competitive tender process to appoint a delegate to provide marine radio operator certification services from 1 August 2012 onwards. The AMC was the successful tenderer and on 22 December 2011 a new Deed of Agreement was signed for an initial period of five years, with two options of five-year extensions. Under the new deed, the AMC will also be responsible for promoting the certification services and ensuring that the examination methods remain relevant and accessible to marine radio users.

Table 5: Assignments registered, 2007–08 to 2011–12

	2007–08	2008–09	2009–10	2010–11	2011–12
Frequency assignments registered by APs	12,260 66%	11,930 68%	15,434 74%	16,278 72%	20,544 77%
Frequency assignments performed by the ACMA	6,585 34%	5,642 32%	5,559 26%	6,272 28%	5,978 23%

Consistent with the deed that expires on 31 July 2012, the AMC will report to the ACMA about its performance for the period 1 June 2011 to 31 July 2012 by 31 October 2012. Thereafter, reporting periods will be amended to the calendar year to align with the AMC's reporting period. The annual reports are also published on the AMC website. Table 6 details activity levels for the last financial two years.

Review of marine radio operator qualifications for recreational boaters

The ACMA completed its review of regulatory arrangements for VHF marine radio operator qualifications for recreational boaters during the reporting period. The review was triggered in 2009 after the National Marine Safety Committee expressed concerns to the ACMA about declining standards in VHF radio use.

The objectives of the review were to:

- > improve the integrity of the radiocommunications spectrum management framework as it applies to the recreational boating community
- > examine the needs of the recreational boating community in its use of VHF radio, including for safety purposes, and identify how those needs might best be supported in light of the ACMA's role and responsibilities
- > promote the overall efficiency of the regulatory framework supporting the operation of marine radio by the recreational boating community.

Throughout the review, the ACMA focused on formulating an effective, efficient and sustainable approach to managing marine radio qualifications in the longer term. During 2011–12, the ACMA worked closely with marine safety stakeholders to develop more effective approaches to managing VHF operator qualifications for recreational boaters. Final outcomes of the review are due to be published in August 2012 after direct consultation with state marine authorities about introducing a new Australian Waters qualification for recreational users of marine VHF radios. The new qualification would be developed as part of the Maritime Training Framework that is managed by the Transport and Logistics Industry Skills Council. This new proposal responds to the concerns raised during two rounds of public consultation, particularly by the marine safety sector.

The ACMA continued its marine radio information campaign aimed at informing recreational marine radio operators of the correct VHF radio channels to use in particular circumstances and the protocols they need to follow. The ACMA produced two videos, one in collaboration with the Bureau of Meteorology, to disseminate the key campaign messages. The videos were well received by the marine sector, particularly in light of their support for marine safety objectives. Online and printed material was distributed through organisations with close links to the recreational boating sector. State marine safety and regulatory bodies, marine volunteer organisations, boating industry organisations and other key interested bodies supported the campaign. The ACMA also used social media such as YouTube, Twitter and Facebook to disseminate key messages.

Table 6: Marine radio operator certification and examination services—activity levels

	2010–11	2011–12
Total applications received		
Marine Radio Operators Certificates of Proficiency	4,436	4,355
Marine Radio Operators VHF Certificate of Proficiency	1,803	1,595
Marine Satellite Communications Certificates	18	47
Total handbook sales		
Marine Radio Operators Handbooks	4,068	3,728
Marine Radio Operators VHF Handbooks	2,305	2,715

Throughout 2011–12, the ACMA and AMC worked cooperatively to support the campaign by making the *Marine Radio Operators VHF Handbook* available for download free of charge from the AMC website. Professionally printed copies of the handbook with a protective sleeve can still be purchased from the AMC.

Amateur radio operator examination services

The Wireless Institute of Australia (WIA) has provided examination services to the amateur radio community on behalf of the Australian Government since 1991. The WIA also issues amateur certificates of proficiency, administers amateur call signs and makes recommendations to the ACMA about their allocation.

The ACMA is responsible for issuing and varying amateur transmitter licences. During 2011–12, the WIA conducted 1,321 amateur examinations. Table 7 details the number of amateur certificates of proficiency issued based on the results of these examinations. Some amateurs may have needed to successfully undertake more than one examination to qualify for the relevant certificate of proficiency.

The WIA also made 1,068 recommendations on call sign allocation. The ACMA allocated 873 call signs based on these recommendations and approved 197 call sign changes.

Broadcasting licence area plans and variations

Television licence area plans

A television licence area plan (TLAP) is the principal instrument for managing the restack of television broadcasting services. It comprises a determination and schedules, and an attachment setting out the licence area. A TLAP:

- > specifies the channels that are to be available in certain parts of a licence area

- > allots channels to particular television broadcasting service providers (or empowers the ACMA to allot them)
- > sets the timing for channel allotments for restack
- > determines the characteristics, including technical specifications of the transmission of broadcasting services, that are to be available.

TLAPs were introduced by amendments to legislation in May 2011 and are the long-term planning instruments for television broadcasting services. TLAPs will come into effect after the end of simulcast, eventually replacing the current licence area plans and digital channel plans for television services (licence area plans for radio services and digital radio channel plans will not be affected).

Over the reporting period, the ACMA made five TLAPs:

- > Broken Hill—December 2011
- > Riverland—December 2011
- > Mount Gambier/South-East—December 2011
- > Spencer Gulf—December 2011
- > Griffith and the Murrumbidgee Irrigation Area—May 2012.

Licence area plans and variations

A licence area plan (LAP) relates to broadcasting and is a legislative instrument comprising a determination, schedules and attachments setting out the licence area and the technical specifications for existing and proposed services. LAPs for television services will be replaced by TLAPs when they come into effect. LAPs for radio services will not be affected by the introduction of TLAPs.

Over the reporting period, the ACMA completed four television LAP variations and six variations to radio LAPs, including creating a new Darwin Television LAP (see Table 8).

Table 7: Amateur certificates of proficiency issued, 2010–11 and 2011–12

Certificate level	Certificates issued	
	2010–11	2011–12
Foundation	467	362
Standard	112	120
Advanced	93	111
Total	672	593

Table 8: Variations to licence area plans

Service area	Purpose of variation
Cooma Radio August 2011	The variation made new FM frequencies available at Charlotte Pass for the Cooma commercial radio broadcasting service 2XK and 2SK1.
Sydney Television August 2011	The variation enabled community television broadcasters to end their simulcast and provide a digital-only service if required.
Brisbane Television August 2011	The variation enabled community television broadcasters to end their simulcast and provide a digital-only service if required.
Melbourne Television August 2011	The variation enabled community television broadcasters to end their simulcast and provide a digital-only service if required.
Hobart Radio October 2012	The variation made changes to radio services in Hobart and Devonport, including changing 7PB Hobart's radiation pattern and increasing its maximum power level, making the FM frequency 94.9 MHz available for allocation at Hobart for a new open narrowcasting service, and making the FM frequency 96.1 MHz available at Devonport so that the Hobart community radio service 7RPH may extend its coverage to that community.
Remote Central and Eastern Australia Radio March 2012	The variation made new FM frequencies available, or amended existing specifications, for the commercial radio services 4RBL, 4BRZ and 8SAT in remote areas of NSW, Qld and SA. The affected areas included Alpha, Aurukun, Bamaga, Banana, Barrington/Stratford, Chinchilla, Collinsville, Dirranbandi, Goondiwindi, Gununa, Hawker, Hope Vale, Julia Creek, Karumba, Kowanyama, Lake Cargelligo, Minnipa, Miles, Monto, Normanton, Pormpuraaw, Taroom, Tenterfield, Theodore, Wandoan and Wilcannia.
Melbourne Radio April 2012	The variation increased the power level and changed the directionality of the radiation pattern of the 3MP commercial radio service, and updated the existing commercial and community radio licence areas to 2006 census data.
Atherton Radio April 2012	The variation made an FM frequency for an in-fill transmitter for the 4AM Atherton commercial radio service available at Ravenshoe and updated the existing commercial and community radio licence areas to 2006 census data.
Bathurst Radio April 2012	The variation made an FM frequency for an in-fill transmitter for the 2BS Bathurst commercial radio service available at Oberon and updated the existing commercial and community radio licence areas to 2006 census data.
Darwin Television and radio June 2012	The variation split the combined LAP into separate television and radio LAPs, changed the technical specifications of the Darwin HPON television service to facilitate its conversion from analog to digital broadcasting, removed planned—but not allocated—national/community television specifications and updated the description of the Darwin TV1 licence area.

Digital channel plans and variations

The ACMA is responsible for managing the conversion of television transmissions from analog to digital mode. Legislative schemes (the 'conversion schemes') have been developed for the conversion of commercial and national television broadcasting services from analog to digital mode over a period of time.

The conversion schemes authorise the ACMA to develop digital channel plans (DCPs), which determine the channels to be allotted to each commercial and national television broadcaster in a given area as well as the technical limitations and characteristics of those channels. DCPs will be replaced by TLAPs when they come into effect. Digital radio channel plans will not be affected.

In the reporting period, the ACMA provided technical advice to the minister on the determination of digital-only local market areas for:

- > regional Queensland
- > Thredbo in southern New South Wales
- > Carnarvon, Dampier, Derby, Exmouth, Newman, Pannawonica, Esperance and Kununurra in remote Western Australia
- > the Northern New South Wales TV1 licence area, except for the areas that overlap with the Brisbane TV1 and Sydney TV1 licence areas
- > the area within the Northern New South Wales TV1 licence area that overlaps with the Brisbane TV1 licence area.

The ACMA also made variations to commercial and national DCPs for remote and regional Western Australia (see Table 9).

Broadcasting licensing

In 2011–12, the ACMA:

- > issued 12 transmitter licences for national radio and television services
- > issued 417 broadcasting retransmission licences
- > approved 770 applications for out-of-area television
- > issued 26 radio and television test transmission licences
- > varied 49 radio and television apparatus licences
- > issued 160 special event broadcasting licences for radio and television services.

International broadcasting licences

The ACMA did not receive any applications for international broadcasting licences during 2011–12.

Temporary community broadcasting licences

The temporary community broadcasting licence (temporary licence) scheme has been in place since 1997. The temporary licence scheme allows the ACMA to allocate non-renewable community radio licences to eligible aspirant broadcasters. Temporary licences are allocated for a maximum 12-month licence period.

If broadcasting services bands spectrum is available, but the ACMA has not started or completed planning and allocation processes for that spectrum, it may determine that part of the spectrum is available for allocation to temporary community broadcasting licensees. A temporary licence can be allocated only if the ACMA has made such a determination.

The scheme gives the ACMA flexibility to promote the efficient and effective use of spectrum and aspirant broadcasters the opportunity to develop broadcasting skills before merit-based allocation of planned long-term community broadcasting licences.

Table 9: Variations to digital channel plans

Service area	Purpose of variation
Remote and Regional Western Australia—commercial and national DCPs November 2011	The variations updated technical specifications to minimise channel restacking after analog switch-off and confirm channels for the full rollout of commercial digital television services.

During the reporting period, the ACMA allocated 92 temporary licences and there were 96 temporary licences as at 30 June 2012. The ACMA received eight applications for new temporary licences. Of these, six were approved.

Community radio broadcasting licences

Under Part 6 of the BSA, community broadcasting licences using the broadcasting services band are allocated after the ACMA has had regard to statutory merit considerations. Where there are competing applicants, the comparative merits of the applicants are considered. The ACMA is not obliged to allocate a community broadcasting licence, even though it has advertised for and received applications.

During the reporting period, the ACMA:

- > renewed 59 community radio broadcasting licences, of which four were remote Indigenous broadcasting services. Of those, seven were renewed with agreed measures—3NRG, 2WKT, 2MWM, 2NBC, 3RIM, 2RDJ, 2NSB
- > allocated six community radio broadcasting licences—Armidale, Bankstown and Narrandera (New South Wales); Palm Island (Queensland); Oatlands (Tasmania) and Goolwa (South Australia)
- > decided not to allocate the community radio broadcasting licence for Upper Murray, Victoria.

Consideration of applications for two community radio broadcasting licences—Cairns and Cherbourg (Queensland)—was ongoing at the end of the reporting period.

No community broadcasting licences were refused renewal or surrendered.

There were 362 community radio broadcasting licences at 30 June 2012, of which 78 were remote Indigenous broadcasting services.

The ACMA processed all licence renewal applications within 12 months of receipt.

Commercial radio broadcasting licences

During 2011–12, the ACMA renewed 62 commercial radio broadcasting licences for services using the broadcasting services bands (BSB). No new commercial radio broadcasting licences were allocated for services using the BSB during the reporting period.

As at 30 June 2012, there were 273 commercial radio broadcasting licences.

Licensing at end of simulcast

Under the commercial and national television conversion schemes, broadcasters were advised of licensing arrangements at digital switchover as a result of:

- > digital-only local market areas being declared for regional Queensland
- > the end of the simulcast periods for southern NSW and Griffith and the Murrumbidgee Irrigation Area.

New digital broadcasting licences were issued or converted as required by the schemes.

Commercial television

As at 30 June 2012, there were 69 commercial television broadcasting licences.

During 2011–12, the ACMA renewed 11 commercial television broadcasting licences.

Other than licences issued under sections 38B or 38C of the BSA, the ACMA must not issue new commercial television broadcasting licences in the BSB unless directed by the minister following a review. The minister must conduct the initial review before 1 January 2013 and consider possible uses for unassigned broadcasting spectrum.

During 2011–12, the ACMA allocated two new commercial television broadcasting licences under section 38C of the BSA.

Community television

Community television broadcasting licences are allocated in the same manner as community radio broadcasting licences.

During the reporting period, the ACMA renewed four community television broadcasting licences, all of which were remote Indigenous broadcasting services.

There were 81 community television broadcasting licences at 30 June 2012, of which 78 were remote Indigenous broadcasting services. The other three services were in Brisbane, Melbourne and Sydney.

Community television trial

During 2011–12, the ACMA decided to make spectrum available for a further community television trial in Adelaide for the period 5 July 2012 to 30 June 2013. A community television trial is continuing in Perth for the period 16 April 2011 to 30 June 2013. These services are made possible by a condition on the apparatus licences that they be used only to provide an open narrowcasting television service for community and educational non-profit purposes.

Digitisation of community television services in metropolitan areas

On 4 November 2009, the minister announced a pathway for the five existing metropolitan community television services to convert to digital mode. The initiative provided for the temporary digital simulcast of three long-term community television services (in Sydney, Melbourne and Brisbane) and one trial community television service (in Adelaide), until the end of the simulcast period that applies to commercial and national services in their respective licence areas. Under the policy, the trial community television service in Perth could commence transmission in digital mode only (see Table 10).

The ACMA has allocated new apparatus licences to the broadcasters of each community television service to enable them to provide their digital services. These licences contain specific conditions that reflect the parameters set by the government's decision.

In August 2011, the ACMA varied the licence area plans in Sydney, Melbourne and Brisbane to allow CTV broadcasters in those areas to end their simulcast (and provide a digital-only service) prior to the end of their respective commercial and national simulcast period. The CTV broadcasters in Sydney, Melbourne and Brisbane and the CTV trial broadcasters in Perth and Adelaide are all now providing digital-only services.

Telecommunications licensing

Carrier licensing

The ACMA is responsible for administering the regulatory regime that is established by the Telecommunications Act. Under that Act, a carrier licence must be held by the owner of a telecommunications network unit (such as transmission lines or radiocommunication links) if that unit is to be used to supply a telecommunications service—for example, a telephone or internet service—to the public. This requirement applies unless the entity either:

- > enters into an arrangement by which a licensed carrier is nominated to have the responsibilities of a carrier in relation to those network units (a nominated carrier declaration)
- > is exempted from the requirement to hold a carrier licence
- > has a certificate entitling it to conduct a trial of its services or operations without holding a carrier licence (a trial certificate).

The ACMA granted 15 carrier licences in 2011–12, all within the statutory 20-day time frame. This is a decrease compared to 2010–11, when 18 licences were issued (three licensed carriers were deregistered by Australian Securities and Investments Commission during 2011–12). A licensed carrier can surrender its licence by providing a written notice to the ACMA—a total of 16 carriers did so in 2011–12.

As at 30 June 2012, there were 187 licensed carriers in Australia.

The ACMA has issued 122 nominated carrier declarations from 1 July 1997. In the 12 months from 1 July 2011, the ACMA issued two nominated carrier declarations. Three nominated carrier declarations were revoked.

As at 30 June 2012, there were 71 nominated carrier declarations in force.

A complete list of carrier licences and nominated carrier declarations is provided at Appendix 4.

The ACMA issued five trial certificates during the reporting period. The ACMA issued four applications for trial certificates in the previous reporting period.

Table 10: Community television digital transmission start dates

Area served	Simulcast start dates	Digital-only start dates
Sydney	March 2010	March 2012
Perth	n/a	March 2010
Melbourne	May 2010	March 2012
Brisbane	June 2010	May 2011
Adelaide	September 2010	June 2012

Telecommunications numbering

Numbering Plan administration

The ACMA manages the Telecommunications Numbering Plan 1997 (the Numbering Plan), which sets out the framework for the numbering of carriage services in Australia and the use of numbers in connection with the supply of such services. The ACMA is also responsible for managing the existing numbering resource and planning for new numbering developments in Australia. The Numbering Plan was varied during the reporting period to amend the geographic numbering arrangements.

Numbering work program

During 2011–12, the ACMA continued its examination of Australia's telephone numbering arrangements to address how existing regulatory frameworks might accommodate convergence and, in particular, the growing adoption of internet protocol-based services and continued growth in mobile services. Through the course of this work, including in community research conducted by the ACMA and feedback from stakeholders, it became apparent that both longer term structural changes occurring in the industry and changing consumer expectations were causing a misalignment with existing telephone numbering arrangements. This was evident in consultations about the future use of general (geographic) numbers, where individual consumers and CSPs indicated interest in a more flexible use of geographic numbers. This would facilitate a greater use of local number portability and allow CSPs to allocate their numbers more efficiently.

On 11 October 2011, the ACMA announced that it would progress a set of short-term measures to increase flexibility, reduce red tape, remove redundant number ranges and plan for the future. Two consultation papers were released:

- > *Numbering: Calls to freephone and local rate numbers—The way forward*, in October 2011
- > *Telephone numbering—Future directions*, in November 2011.

Following consideration of the issues and examination of regulatory and non-regulatory options presented in feedback to *Numbering: Calls to freephone and local rate numbers*, on 24 April 2012 the ACMA announced a proposed amendment to the Numbering Plan. This would see the proposals for freephone and local rate numbers that it proposed in October 2011 coming into force with a deferred commencement date of 1 January 2015. Statutory consultation on this amendment is expected to occur later in 2012.

Telephone numbering—Future directions set out the ACMA's vision for the evolution of telephone numbering guided by regulatory design principles that are intended to increase the efficiency, flexibility, resilience and simplicity of the telephone numbering arrangements. It outlined 24 initiatives to increase the broad-based use of numbers, reduce the technical specificity of numbers, improve price transparency and improve clarity.

At the end of the reporting period, the ACMA was continuing discussions with stakeholders about submissions received in response to *Telephone numbering—Future directions*.

Numbering Advisory Committee

The Numbering Advisory Committee (NAC) is a formally constituted advisory committee to the ACMA and comprises representatives of the telecommunications industry, telecommunications users, community groups and government. It formulates, administers and provides advice on numbering policy. The NAC primarily addresses issues relating to the development and management of the Numbering Plan, including the allocation and specification of numbers, and the distribution and administration of annual numbering charges. It also provides a forum for discussion and briefing on matters related to numbering.

The NAC met twice during 2011–12. It continued to provide advice on proposed changes to the Numbering Plan for mobile numbers, geographic numbers and the smartnumbers action process.

Number allocations register

The ACMA maintains a register of numbers allocated to CSPs and numbers that have been permanently transferred from one CSP to another. The information is contained in a database known as the Online Numbering System (NUMB). CSPs use the register to perform functions such as routing and billing; and applying, transferring and surrendering numbers. It is accessed by the ACMA to administer the Annual Numbering Charge (ANC).

Numbering transactions

During 2011–12, the ACMA assessed 70 separate applications for numbers from 15 different CSPs. Some CSPs were allocated both geographic and other numbers. The most common number types allocated were geographic and digital mobile numbers.

During 2011–12, the ACMA met its statutory requirements and KPIs by processing numbering applications within the 10-day statutory time frame. The time taken to process routine applications was approximately 4.2 working days, an increase on the average of 2.1 working days for 2010–11. The additional time to process applications can be attributed to two large applications for the approximately 2,050 areas that make up a national application for geographic numbers. The ACMA last processed a comparably sized application in 2006–07. In 2011–12, the ACMA allocated:

- > 2,664,600 geographic numbers, more than the 1,072,000 allocated in 2010–11
- > 6,400,000 digital mobile numbers, more than the 5,900,000 allocated in 2010–11.

Table 11 shows the amount of numbers allocated by number type in 2011–12.

During 2011–12, the ACMA received 11 applications to surrender numbers from six CSPs. There were four permanent transfers of numbers between CSPs in 2011–12. Table 12 shows the numbers surrendered by number type and Table 13 shows the numbers transferred by number type. Some CSPs transfer or surrender multiple number types.

Table 11: Quantity of numbers allocated by number type during 2011–12

Type of number	CSPs allocated numbers	Quantity of numbers allocated
Geographic	9	2,664,600
Digital mobile	3	6,400,000
Mobile network codes	4	4
Total numbers allocated		9,064,604

Table 12: Quantity of numbers surrendered by number type during 2011–12

Type of number	CSPs surrendering numbers	Quantity of numbers surrendered
Geographic	2	18,400
LICS	1	1,000
Digital mobile service	1	200,000
Calling card service	2	2
Pre-selection override code	1	1
Total numbers surrendered		219,403

Table 13: Quantity of numbers transferred by number type during 2011–12

Type of number	CSPs transferring numbers	Quantity of numbers transferred
Geographic	4	447,800
Total numbers transferred		447,800

Industry Number Management Service Ltd (INMS) is contracted to the ACMA to provide delegated services to industry for freephone (1800), local rate (13) and six- and eight-digit premium rate numbers. Services undertaken by INMS include number allocations, withdrawals, reservations and placements in quarantine. Table 14 shows the quantity of numbers allocated by INMS and Table 15 shows the quantity surrendered in 2011–12 by number type.

Portability

Number portability enhances telecommunications competition and consumer convenience by enabling consumers to keep their telephone number(s) when changing to a new CSP. Number portability is available for local, mobile, and freephone and local rate numbers.

The ACMA monitors the effectiveness of porting arrangements, including CSP compliance with the arrangements specified in the Numbering Plan and industry codes that set out the procedures for each type of number portability. The ACMA is responsible for registering new and revised industry codes, which makes them enforceable under the Telecommunications Act.

In 2011–12, the ACMA worked with CA and industry participants to identify regulatory issues that may emerge during rollout of the NBN, including where a change of CSP occurs in the initial migration of customers from Telstra’s copper network to the NBN network. CA is expected to commence a revision of the Local Number Portability Code in 2012–13 so that industry arrangements meet customers’ porting needs.

The ACMA also receives and handles enquiries and complaints about number portability from industry and consumers, and it may undertake investigations and compliance action in accordance with its legislative powers. Where appropriate, the ACMA may also grant an exemption from the number portability requirements. No exemptions from number portability were sought or granted in 2011–12.

Table 14: Quantity of numbers allocated by INMS by number type and digit length during 2011–12

Type of number	Quantity of numbers allocated
Freephone and local rate (1800, 1300, 13)	27,748
Premium rate numbers (six- and eight-digit 19 numbers)	87
Total numbers allocated	27,835

Table 15: Quantity of numbers surrendered by INMS by number type and digit length during 2011–12

Type of number	Quantity of numbers surrendered
Freephone and local rate (1800, 1300, 13)	17,725
Premium rate numbers (six- and eight-digit 19 numbers)	348
Total numbers surrendered	18,073

Pre-selection

CSPs are required to make pre-selection available on request for a standard telephone service. Pre-selection allows a certain basket of calls to be automatically routed to and carried by an alternative provider, regardless of which CSP is providing the local call and access service for that standard telephone service. Pre-selection includes national long-distance calls, international and mobile calls but not local calls.

The ACMA monitors the effectiveness of pre-selection arrangements, including arrangements specified in the Telecommunications Act, the industry code (C515: Pre-selection) and the pre-selection determinations.

Under the Telecommunications Act, the ACMA is able to exempt a carrier/CSP from the obligation to provide pre-selection. No exemptions were sought or granted during 2011–12.

In 2011–12, the ACMA provided assistance and advice to DBCDE on changes to pre-selection arrangements in the NBN environment. On 19 June 2012, the Telecommunications (Consumer Protection and Service Standards) (Characteristics for Standard Telephone Service) Regulation 2012 came into effect. The regulation effectively removes the requirement to offer pre-selection on wireless services in specified circumstances, particularly on interim wireless services in new developments pending the rollout of fixed-line infrastructure. It also effectively removes the requirement to offer pre-selection on services on wholesale-only, open-access fibre networks like the National Broadband Network for three years, pending a review of pre-selection.

Pre-selection is still required for services supplied on the copper network and on fibre networks where the network operator also provides retail services.

Geographic numbering amendments

Since the Numbering Plan commenced in 1997, consumers have significantly changed the way they use communications services. The Numbering Plan is being updated over time to better reflect these changes in use, and the new services and technologies that are now available.

During 2010 and 2011, the ACMA undertook a work program to examine the current arrangements for telephone numbers. The aim was to consider whether the arrangements were efficient and effective and what, if any, transitional arrangements might be necessary for future suitability.

The ACMA is implementing the outcomes of this work program in several phases—short-, medium- and long-term changes. In December 2011, following statutory consultation, the ACMA made the first round of changes to the Numbering Plan, including:

- > removing six service types that are no longer required
- > removing unused portions of number ranges from six service types with limited use
- > amending the term 'country code'
- > making other administrative improvements.

Further variations to increase flexibility and efficiency in numbering arrangements are planned for the next reporting period.

Revenue and fees

The ACMA is responsible for the efficient regulation and allocation of public resources such as telecommunications numbering and the radiofrequency spectrum. It also collects annual revenues through broadcasting, radiocommunications and telecommunications licence taxes, levies, fees and charges.

The administration of taxes, levies, fees and charges plays a key role in the planning, allocation and use of public resources. These public resources are indispensable inputs to industry in the innovative and dynamic communications sector of the economy.

Where feasible under the applicable legislation, the ACMA sets fees, taxes and charges so they support the effective use of public resources. They also recover the costs of regulating the industry. In accordance with government cost-recovery policy and guidelines, and where it is cost-effective, the ACMA seeks to charge individuals or firms for the costs of providing the activity.

Revenue raised by the ACMA in taxes, charges, levies and other revenue is shown in tables 16 to 19.

Table 16: Resource taxes

Description	Revenue in 2010–11 (\$m)	Revenue in 2011–12 (\$m)
Spectrum auctions	0.000	1.780
Apparatus auctions	0.834	0.044
Number auctions	2.028	1.738
Annual numbering charge	60.000	60.000
Apparatus licence tax	161.885	146.048
Broadcasting licence fees and datacasting charge	150.449	231.191
Total taxes	375.196	440.801

Table 17: Cost recovery charges

Description	Revenue in 2010–11 (\$m)	Revenue in 2011–12 (\$m)
Annual carrier licence charge	37.698	38.054
Spectrum licence tax	0.398	0.450
Fee for service charges	2.834	2.621
Do Not Call Register charges	2.797	2.896
Total charges	43.727	44.021

Table 18: Industry levies

Description	Revenue in 2010–11 (\$m)	Revenue in 2011–12 (\$m)
USO levy	144.411	144.929
NRS levy	16.243	15.975
Total levies	160.654	160.904

Table 19: Other administered revenue

Description	Revenue in 2010–11 (\$m)	Revenue in 2011–12 (\$m)
Fines and penalties	0.189	0.332
Other	0.360	0.315
Total other administered revenue	0.549	0.647

USO funding and subsidies

Under the *Telecommunications (Consumer Protection and Service Standards) Act 1999* (TCPSS Act), the ACMA provides advice to the minister to help determine the amount of subsidy for supplying the universal service obligation (USO). The amount of the USO obligation is shared by the telecommunications carriers through the application of a levy.

On 28 May 2012, the ACMA provided the USO subsidies advice to the minister in response to his direction of 24 February 2012. On 12 June 2012, the minister set the aggregate USO subsidy for 2011–12 at \$145,076,237. This is the same amount that has applied since 2007–08.

Telstra, as the universal service provider, is eligible to submit a claim for the cost of providing the USO up to the amount of the universal service subsidy for the 2011–12 claim period. Telstra submitted a claim for \$145,076,237 for the period. The claim amount was consistent with the total subsidy set by the minister.

From 1 July 2012, USO funding arrangements will also be administered under the *Telecommunications Universal Service Management Agency Act 2012* (TUSMA Act).

USO eligible revenue assessment

Any participating person holding a telecommunications carrier licence for any time during a financial year is required to submit an eligible revenue return so that the ACMA may determine each carrier's eligible revenue. For the 2010–11 period, participating persons were required to lodge returns with the ACMA by 31 October 2011. The ACMA made the written assessment of participating persons' eligible revenue for the 2010–11 eligible revenue period on 17 June 2012.

The primary function of the eligible revenue process is to determine the contribution that each participating person makes towards the cost of providing the USO, based on their proportion of total industry eligible revenue (future funding arrangements are set out in the TUSMA Act). The eligible revenue process is also used to determine each participating person's contribution to the National Relay Service (NRS) levy and annual carrier licence charges.

The ACMA will make a written assessment in the next financial year for each participating person's eligible revenue for 2011–12.

Annual carrier licence charges

Annual carrier licence charges are imposed on participating carriers so that the ACMA may recover the cost to the ACMA, ACCC and Australian Government of regulating the telecommunications industry. The total charge is allocated to participating carriers based on their eligible revenue for the previous eligible period as determined by the eligible revenue assessment.

In 2011–12, the total annual carrier licence charge was \$38.054 million.

Do Not Call Register access fees and cost recovery

The telemarketing and fax marketing industry contributes to the cost of operating and maintaining the Do Not Call Register by paying subscription fees determined by the ACMA on a cost recovery basis. During the reporting period, the annual subscription fees ranged from \$79 to check or 'wash' up to 20,000 numbers against the register to \$90,000 to wash up to 100 million numbers. There is also a subscription type that allows telemarketers to wash up to 500 numbers each year at no cost.

The cost recovery arrangements for the register are based on 'fee-for-service' and do not include the costs to establish the register or the ACMA's regulatory costs associated with monitoring and enforcing compliance with the register.

In 2011–12, the total revenue from Do Not Call Register cost recovery charges was \$2.896 million.

Numbering charges

On behalf of the Australian Government, the ACMA collects a set amount of revenue each year from CSPs that hold telephone numbers. The ACMA collects this revenue through the annual numbering charge (ANC). The ANC revenue target is set by the government through the Federal Budget. The ANC revenue target has not changed since 1998. As was the case in previous years, the ANC revenue target for 2011–12 was \$60 million.

The ACMA administers the process in accordance with the *Telecommunications Act*, the *Telecommunications (Numbering Charges) Act 1997* and a series of four determinations made by the ACMA under those Acts. The determinations establish key parameters of the process (such as the census date discussed below and the formula used to ascertain the amounts of charge to be applied to particular

numbers). The determinations under which the numbering charge process is administered are:

- > the Imposition of Annual Charge – Date Determination, which sets the date on which charges are imposed (that is, the census date)
- > the Telecommunications (Due Date for Annual Charge) Determination 1999, which sets the due date for payment of charges
- > the Telecommunications (Annual Numbering Charge – Late Payment Penalty) Determination 2000, which sets out rules for the imposition and remission of late payment penalties
- > the Telecommunications (Annual Charge) Determination 2007 (No. 2), which sets the formula used to ascertain the amounts of annual charge (this determination does not set out the actual amounts to be charged).

CSPs are liable for the charges they incur for the numbers they hold on the census date. The census date is in April with the exact date determined by the ACMA each year. The census date for 2011–12 was 1 April 2011. To enable the ACMA to determine the quantity of numbers held by each CSP on the census date, an embargo on the surrender of most numbers commences 15 working days prior to the census date each year. In 2011–12, the embargo commenced on 9 March 2012.

Amount of charge

The base number charge for 2011–12 was \$0.6790342217. Employing the opportunity-cost methodology applied in previous years, nine-digit numbers were charged at \$6.790342217, eight-digit numbers at \$67.490342217 and so on. Three- and four-digit numbers were charged at \$100,000, the maximum rate allowable under the Telecommunications (Numbering Charges) Act.

Numbers used for incoming-only international services, internal network services and testing services were subject to a reduced rate of charge. Geographic numbers allocated to a CSP for the purposes of providing a standard telephone service to a customer are exempt from the charge.

As at 30 June 2012, the ACMA had received \$33.328 million of the \$60 million revenue target. The amounts outstanding for each CSP are shown in Table 20.

Table 20: Annual numbering charge amounts outstanding at 30 June 2012

CSP	Amount outstanding (\$)
ABG Group Pty Ltd	7,129.86
CallText Pty Ltd	271.61
Ericsson Australia Pty Ltd	23,222.97
Live Connected	7,055.84
Lycamobile Pty Ltd	1,465,219.35
Savvy Communications (Aust) Pty Ltd	22,792.46
Telstra Corporation Ltd	25,134,648.58
Vaya	4,470.76
Voicetek Pty Ltd	6,790.34
Total	26,671,978.77

Note: Does not include late payment penalties that apply after 15 June 2012, the due date for payment.

Number auctions

In 2004, the smartnumbers auction system was introduced to allocate certain freephone and local rate numbers (FLRNs)—13, 1300 and 1800 numbers. An auction system is an efficient way to allocate freephone and local rate numbers that are likely to be highly valued by industry, government or the community sector. Winning bidders for smartnumbers are entitled to the enhanced rights of use (EROU) to the number, including the ability to trade or lease the rights to the smartnumber. The winning bidder may retain the EROU to a smartnumber for up to three years without an active service in place.

During 2011–12, the ACMA improved the customer experience for smartnumbers users, including introducing a more user-friendly website based on recommendations from a web design company and enhancing the phone answering system. These have benefited users and the ACMA, and led to a reduced number of calls and emails to the smartnumbers hotline.

Auctions for smartnumbers are generally held fortnightly. In 2011–12, the ACMA raised \$1,738,225 in revenue from the sale of 4,988 numbers, in contrast to the \$2,091,095 in revenue raised from the sale of 5,399 smartnumbers in 2010–11. The ACMA continued to meet its KPIs for smartnumbers auctions by regularly and efficiently conducting auctions.

Apparatus licence taxes

The ACMA uses taxes on the issue of radiocommunications apparatus licences to support the efficient use of spectrum and recover the indirect costs of spectrum management. The tax is calculated by a formula that makes fees determinate, consistent, equitable and transparent. The formula encourages efficiency by making taxes higher in congested locations and spectrum bands, making taxes proportional to the bandwidth and giving discounts for low power.

In 2012, the CPI adjustment of 3.6 per cent, reflecting price changes from July 2010 to June 2011, applied to all licence taxes except for fixed services operating below 960 MHz in remote density areas.

Spectrum licence tax

The spectrum licence tax is imposed on all holders of spectrum licences at 11 October each year. The total amount of tax on each band is disclosed before the allocation and does not change over the life of the licence. The total amount of tax is split between licensees in each band based on the bandwidth and the population covered by their licences. In 2011–12, the ACMA collected a total of \$450,491 in spectrum licence tax.

Broadcasting licence fees and datacasting charge

The ACMA collects broadcasting licence fees from commercial radio and television broadcasting licence-holders under the *Television Licence Fees Act 1964* and the *Radio Licence Fees Act 1964*. Supporting documentation is required under sections 205B and 205C of the BSA. Fees are calculated as a percentage of the gross earnings of the licence-holders for each broadcasting licence fee period, less any rebates that apply.

Under the *Datacasting Charge (Imposition) Act 1998*, a datacasting charge is collected from commercial television broadcasting licensees who also hold a transmitter licence issued under the Radiocommunications Act and use the transmitter licence to provide a datacasting service(s) authorised by a licence under Schedule 6 of the BSA. The ACMA collected \$0.012 million from datacasting services in 2011–12.

Broadcasting licence fees

The ACMA has estimated a total of \$178.9 million in licence fees due and payable for the 2011–12 period. Television broadcasters have paid a total of \$153.8 million in broadcasting licence fees, and radio broadcasters have paid a total of \$25.1 million in broadcasting licence fees.

Table 21 shows total broadcasting licence fees assessed in the last three financial years.

Regional Equalisation Plan

The Australian Government introduced a Regional Equalisation Plan (REP) in 2000–01 to assist the rollout of digital television broadcasting services to regional and remote Australia. REP rebates against annual licence fees administered by the ACMA, and, where necessary, supplementary grants administered by DBCDE, are claimable by broadcasters based on their area’s progress in rolling out digital television services, with the scheme ending on 31 December 2017. Commercial television broadcasters claimed total REP rebates of \$3.8 million in 2011–12.

Broadcasting licence fee rebate

On 22 March 2012, the Television Licence Fees Amendment Regulations 2012 (No. 1) were registered. These regulations amend the Television Licence Fees Regulations 1990 to increase the amount of licence fee rebate for the accounting period ending in 2012 from 25 to 50 per cent, representing an effective six-month extension of the rebates introduced in 2010. The rebate applies to the 2010–11 and 2011–12 broadcasting licence fee financial reporting periods at the rates of 41.5 per cent and 50 per cent respectively of the amount of fees otherwise payable under the Television Licence Fees Act. To be eligible for the rebate in 2010–11 and 2011–12, commercial television broadcasting licensees must have complied with the Australian Content Standard for the relevant period. Commercial television broadcasters claimed a total of \$153.8 million in broadcasting licence fee rebate in 2011–12.

Technical regulation

The ACMA works closely with industry in fostering self-regulation and supports it in developing technical standards that the ACMA may mandate, taking into consideration its obligations under the Telecommunications Act, the Radiocommunications Act and the BSA.

To achieve desired policy outcomes, the ACMA can mandate technical standards that are predominantly given regulatory effect through compliance and labelling obligations placed on all suppliers of electrical and electronic equipment including telecommunications and radiocommunications devices.

The Technical Advisory Group (TAG) is a consultative forum established and chaired by the ACMA, which includes representatives of consumer electronics suppliers, standards development organisations and ACMA staff from technical regulation areas. The TAG meets on an ad hoc basis as agreed by the members, when there are identified matters that require discussion by the group. The TAG did not meet in the reporting period.

In April 2012, the ACMA provided DBCDE with a report on technical regulation policy issues. The report built on TAG discussions on the future legislative and policy environment for communications. Issues identified in the report included:

- > the complexity of the modern supply chain
- > the impact of convergence on historical sector-specific regulatory arrangements
- > the increasing empowerment of consumers in delivery of communications and IT products and applications.

Table 21: Broadcasting licence fees

	Number of licences			Total (\$m)		
	2009–10	2010–11	2011–12	2009–10	2010–11	2011–12
Radio licence fees	273	273	273	22.8	21.4	25.1
TV licence fees obligation	59	71	68	281.0	281.2	311.4
Less digital TV conversion rebate				4.4	4.1	3.8
Less broadcasting licence fee rebate				–	45.7	153.8
TV licence fees				276.6	231.4	153.8

The ACMA believes the report will assist in any future consideration of future policy settings for the communications and IT sector.

The TAG discussions are complemented by discussions held under the auspices of the Technical Working Group (TWG). The TWG is a standing working group of TAG and comprises carriers, standards development organisations, testing laboratories, supplier representatives and independent consultants from a range of compliance management areas. TWG meetings are held to discuss issues raised by the ACMA or industry, or at the request of the TAG. The TWG met in August 2011 to discuss the ACMA's proposal to consolidate its existing equipment compliance labels.

In 2011–12, the ACMA handled 3,000 written and 1,804 telephone enquiries about its technical standards and compliance and labelling arrangements.

Regulatory arrangements—technical standards and labelling notices

The ACMA administers mandatory regulatory arrangements that require specified items of equipment to meet these industry-developed standards.

Under these arrangements, the ACMA may require suppliers—Australian manufacturers, importers or their agents—to:

- > ensure equipment subject to mandatory regulatory arrangements complies with technical standards
- > apply compliance labels to those items where appropriate
- > keep appropriate records.

The ACMA administers five regulatory arrangements, as follows:

- > telecommunications regulatory arrangements, which specify requirements for telecommunications equipment and cabling

- > radiocommunications regulatory arrangements, which specify requirements for radiocommunications transmitters
- > electromagnetic compatibility (EMC) regulatory arrangements, which specify electromagnetic emission requirements for electrical and electronic devices to limit unintended radiation
- > electromagnetic energy (EME) regulatory arrangements, which set health exposure limits on emissions from radiocommunications transmitters
- > broadcasting regulatory arrangements, which can specify technical standards for specified digital broadcasting equipment and domestic digital receivers.

Labelling notices

The ACMA's four labelling notices require suppliers to apply a label (regulatory compliance label) to specified devices to illustrate compliance with the requirements of the relevant notice.⁷ There are currently three compliance marks—C-Tick, A-Tick and the Regulatory Compliance Mark (RCM)—that are used in particular instances to demonstrate compliance with the requirements of the identified technical regulatory arrangements.

The use of three separate compliance marks reflects the historical distinction between different sectors in the communications and IT industry. However, the ACMA recognises that the existence of multiple (and mandatory) regulatory marks is inconsistent with changes in the technical and commercial environment. In addition, the existence of multiple compliance labels imposes additional compliance costs on suppliers of communications and IT equipment. Following extensive industry consultation and liaison, the ACMA has decided to update the labelling arrangements so they match the evolution in technology and markets.

⁷ The four labelling notices specify requirements for telecommunications, radiocommunications, EMC and EME. There is no labelling notice under the BSA for broadcasting equipment and domestic digital receivers.

Introduction of consolidated compliance mark

In a significant development, the ACMA will consolidate the compliance marks into a single regulatory compliance mark—the RCM—covering telecommunications, radiocommunications, EMC and EME. The RCM also indicates compliance with electrical equipment safety requirements under Australian state and territory legislation. Implementing a consolidated compliance mark will produce long-term industry efficiency benefits by reducing the complexity of regulatory arrangements and consequently the time required by industry to comprehend and abide by those arrangements. Less complex labelling arrangements also increase the likelihood of compliance and so improve regulatory outcomes for industry and consumers.

The ACMA has been working closely with state and territory electrical equipment safety regulators to align the consolidated compliance mark proposal with the implementation of new electrical equipment safety arrangements undertaken under the auspices of the Electrical Regulatory Authorities Council (ERAC). Under the new electrical equipment safety system (EESS), suppliers of in-scope electrical equipment will also be required to label products with the RCM.

The ACMA intends that the new arrangements will commence on 1 March 2013 to align with the commencement of the EESS. The ACMA arrangements will have a transition period of three years for current suppliers. These changes mean the ACMA regulatory arrangements are appropriate for the current and future communications and IT environment.

Amendments to the Telecommunications Labelling Notice

In December 2011, the ACMA amended the Telecommunications Labelling Notice to provide an alternative compliance path for customer equipment intended for connection to a 3G mobile network. The alternative compliance path allows a supplier of 3G customer equipment to use certain overseas compliance documentation to demonstrate compliance with Australian requirements. The ACMA also amended the Telecommunications Labelling Notice to recognise the International Electrotechnical Commission (IEC) System for Conformity Testing and Certification of Electrical and Electronic Components, Equipment and Products), referred to as the IECEE CB Scheme. This allows suppliers of certain equipment to have the equipment tested overseas against Australian requirements without the requirement for additional local testing.

Labelling of broadcasting reception equipment

The regulatory arrangement under which the ACMA makes technical standards for broadcasting is an exception in so far as there are currently no labelling or record-keeping obligations associated with the compliance arrangement. This stems from different approaches to labelling schema between the BSA and the other Acts. The ACMA expects, if it proves necessary to implement labelling and record-keeping requirements for digital broadcasting equipment or domestic digital receivers, that such requirements would be developed in line with any progress to consolidating the telecommunications, radiocommunications, EMC and EME labelling arrangements.

Technical standards, codes and guidelines

The ACMA participates in CA reference panels, working committees and Standards Australia technical committees to ensure that industry codes, technical standards and guidelines meet the minimum necessary regulatory requirements for technical regulation.

The ACMA only mandates a standard that is suitable for adoption under the ACMA heads of power for the relevant arrangement—for example, health and safety, radiofrequency interference, network integrity and emergency call access.⁸ These are identified within the various Acts under which a standard is made. The ACMA may also choose to determine a standard in response to a ministerial direction on the general exercise of its powers in relation to broadcasting, content and datacasting functions, in accordance with section 14 of the ACMA Act.

During the reporting period, the ACMA participated in various meetings with industry representative bodies, providing input to the creation and updating of industry standards, codes and guidelines. The ACMA also attended exhibitions and tradeshow to promote awareness of the regulatory arrangements.

Telecommunications standards

The ACMA engages with the telecommunications industry through its involvement with Communications Alliance and Standards Australia to manage a suite of mandatory telecommunications standards.

Communications Alliance is the peak standards development organisation for telecommunications standards other than safety standards, which are developed by Standards Australia. Both undertake this work using an open and consultative process that includes comprehensive public consultation.

During 2011–12, the ACMA received one submission from Communications Alliance for changes to a technical standard in the regulatory arrangements.

Radiocommunications standards

In managing the supply of radiocommunications devices, the ACMA engages with the radiocommunications industry through its involvement with Standards Australia working committees RC4 and RC6. Standards Australia is the national standards development organisation and undertakes this work through an open process that includes comprehensive public consultation.

The ACMA mandates appropriate aspects of industry radiocommunications standards by way of standards made under section 162 of the Radiocommunications Act. The ACMA's radiocommunications standards may adopt the industry standard in whole or in part and include specified variations for Australian conditions as required. The ACMA undertakes this work through a process that includes comprehensive stakeholder consultation.

The requirement to label devices scoped by these standards is given effect through the Radiocommunications Devices (Compliance Labelling) Notice 2003.

The Radiocommunications (Short Range Devices) Standard 2004 automatically adopts the latest published version of the applicable industry standard AS/NZS 4268, for these devices. The latest amendment to AS/NZS 4268:2008 was published and consequently became mandatory in accordance with the ACMA standard in the 2009–10 reporting year. Standards Australia agreed to support updates to AS/NZS 4268 to align it with the ACMA's spectrum planning arrangements.

All other ACMA radiocommunications device standards adopt a fixed version of the applicable industry standard and, when a new version is published, the ACMA standard must be amended to adopt it. Where an amendment is made to these industry standards, the ACMA standards automatically adopt the amendments.

8 In April 2011, the Telecommunications Act was amended to remove the 'heads of power' limitations on the making of technical standards for customer equipment or customer cabling intended for connection to a superfast carriage network.

Broadcasting technical standards—digital television

The ACMA consults with industry and helps to develop appropriate technical standards through Standards Australia processes. Where appropriate, the ACMA may determine technical standards for specified broadcast transmitters and broadcast reception equipment operating in digital mode.

To date, the ACMA has exercised its powers to determine two technical standards:

- > The Broadcasting Services (Digital Television Format – Audio Component – Transmissions in SDTV Digital Mode) Technical Standard 2007
- > The Broadcasting and Datacasting Services (Parental Lock) Technical Standard 2010.

The Audio Component Standard was determined in April 2007. This standard establishes a minimum format requirement for the audio component of television programs and datacasting services transmitted in standard definition digital mode.

The Parental Lock Standard was determined in July 2010. It creates a requirement that particular domestic reception equipment has parental lock capabilities, or distributes information that enables the parental lock capabilities in other domestic reception equipment to operate. From 4 February 2011, parental lock became a mandatory feature in specified new models of digital television reception equipment sold in Australia.

By requiring particular domestic reception equipment to have parental lock capabilities, the standard is designed to protect children from viewing material that may be inappropriate or harmful, and support parents and guardians in protecting their children from such content.

The ACMA will work to see that requirements specified in this standard are also incorporated into the Standards Australia industry standard at its next revision.

For further information on potential future standards activity, see *New technology* on page 45.

Digital television codes

The ACMA may also register industry codes that deal with industry activities associated with digital broadcasting services. The ACMA also has a reserve power to make industry standards where no code has been developed or where an industry code is found to be deficient. Industry codes must apply to an identified section of the industry that is engaged in a specified industry activity as defined within Part 9B of the BSA.

The ACMA has yet to exercise its power to request an industry code under Part 9B.

Electromagnetic compatibility standards

The ACMA has responsibility under the Radiocommunications Act for the regulation of EMC.

The EMC regulatory arrangement objectives are to:

- > minimise electromagnetic emissions from electrical and electronic devices that could disrupt radiocommunications services, while maximising opportunities for Australian industry in international markets
- > facilitate importation of products that will benefit the Australian community.

The EMC regulatory arrangements comprise two major elements:

- > technical standards for electromagnetic emissions (EMC technical standards) made under section 162 of the Radiocommunications Act
- > compliance (including record-keeping and labelling) requirements made under section 182 of the Radiocommunications Act.

Consistent with Australia's World Trade Organization obligations, the EMC regulatory arrangements utilise international standards for EMC to the maximum extent practicable. Where it is proposed that a new or amended standard be added to the ACMA's list of applicable EMC standards, the ACMA seeks feedback from industry, including from members of Standards Australia Technical Committee TE-003 (which is responsible for developing EMC technical standards in Australia, including input to the development of international EMC technical standards).

Electromagnetic energy standards

The ACMA's EME health exposure regulatory arrangement requires a wide range of radio transmitter installations and portable equipment, such as mobile phone handsets, to comply with EME limits set out in a standard published by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA). The ARPANSA standard is based on guidelines from the internationally recognised International Commission for Non-Ionizing Radiation Protection (ICNIRP), which has been adopted by many other countries. The EME arrangement addresses possible adverse health effects without unnecessarily compromising the benefits that radiocommunications technologies bring to modern living.

To comply with the EME exposure limits, licensees need to have their transmitter installations assessed, and manufacturers and importers of mobile phones and similar equipment must have their products tested for compliance before supply is permitted to the Australian market. Significant penalties apply for breaches of the EME arrangement.

The ACMA will continue to work closely with ARPANSA so that its regulatory arrangements continue to reflect the ARPANSA standard.

Cabling regulation

Under the Telecommunications Act, the ACMA has regulatory powers to set performance standards for cabling installation practices.

The ACMA's approach to regulating customer cabling includes:

- > overseeing the industry-managed cabling registration scheme
- > monitoring and enforcing compliance with cabling regulatory requirements
- > supporting greater cabling industry self-regulation
- > promoting consumer and industry awareness of regulatory arrangements of customer cabling.

Cabling registration scheme

Cabling Provider Rules (CPRs) are based on an industry-managed national registration system. The ACMA currently accredits five industry bodies to be registrars under CPRs. These registrars issue registrations to cabling providers.

At 30 June 2012, there were 67,637 registered cablers. The ACMA continues to monitor the performance of registrars in meeting their contractual obligation to provide registration services to the cabling industry. It also works with registrars to improve reporting arrangements and monitor service delivery levels across the industry through quarterly meetings of the Registrars' Coordinating Committee (RCC). The ACMA also meets quarterly with the Cabling Advisory Group (CAG) on technical issues and related cabling policy. The CAG includes a wide range of representatives from the cabling industry.

Installation of specialised customer cabling

As a result of a March 2011 meeting between the ACMA, DBCDE and representatives of the cabling industry, the ACMA agreed to assess the suitability of the existing competencies under the CPRs for the current and future cabling environment. In September 2011, the ACMA released a discussion paper seeking comments on whether its customer cabling regulatory arrangements provided appropriate safeguards in light of the rollout of optical fibre and other high-speed carriage networks. In particular, the ACMA sought comment on a proposal to amend the arrangements to require cabling providers to attain additional competencies for broadband, structured, optical fibre and coaxial cabling in order to perform that type of cabling work.

In May 2012, the ACMA amended the customer cabling regulatory arrangements. The changes require registered cabling providers to have the necessary skills to install broadband cabling in customer premises. This requirement has two primary objectives:

- > to make sure that broadband cabling is installed in accordance with safe installation practices, including appropriate occupational health and safety practices
- > to give end users the full benefits of the NBN and other high-speed carriage networks.

The requirements for the additional competencies commence from 1 July 2012. Existing cabling providers will have a two-year transition period in which to complete the appropriate competencies.

The ACMA worked with the relevant industry skills council, Innovation & Business Skills Australia (IBSA), cabling provider registrars and representatives of the cabling industry to implement the new arrangements. IBSA was engaged to ensure the appropriate competencies are available to be delivered by registered training organisations. In June 2012, a new Industry Pathways document, which helps prospective cabling providers by identifying the available training pathways to achieve the required cabling competencies, was published on the ACMA website.

Review of Cabling Wiring Rules

A review of AS/CA S009 (Wiring Rules) by CA commenced in December 2011. The review is anticipated to be completed by August 2013. AS/CA S009 is the industry publication containing the installation practices for cabling providers installing customer cabling that connects to a telecommunications network. Cabling providers registered under the ACMA's cabling regulatory arrangements are required to comply with the Wiring Rules.

Advice to the minister on NBN level playing field exemption requests

The *Telecommunications Legislation Amendment (National Broadband Network Measures—Access Arrangements) Act 2011* amends the *Telecommunications Act* and *Competition and Consumer Act 2011* to provide for new level playing field arrangements.

The arrangements apply to fixed-line local access networks (or a part of such networks) that are built, upgraded, altered or extended after 1 January 2011 so that they are capable of providing carriage services where the download transmission speed is normally more than 25 megabits per second to residential or small business users. The effect of the arrangements is that such 'superfast networks' (other than the NBN) must be wholesale-only, and that the operator of such networks must supply a Layer 2 bitstream service on an open-access and non-discriminatory basis.

The arrangements mean that end users have access to the same types of service outcomes whether they are connected to the NBN or another network provider. The arrangements also support NBN Co in achieving its national objectives, including uniform national wholesale pricing, by creating a more level playing field.

The Telecommunications Act allows the minister to give exemptions (conditional or unconditional) from the level playing field arrangements. Exemptions may relate to specified networks, specified local access lines or network owners. In considering requests for exemptions, the minister is required to consult the ACMA and ACCC. In 2011–12, the ACMA provided technical advice to the minister on the following exemption applications, which were subsequently granted:

- > Telstra's South Brisbane Exchange Service Area
- > specified Telstra Velocity networks
- > specified TransACT fibre networks
- > upgrades to TransACT's VDSL network.

Certification bodies

Under the Telecommunications Labelling (Customer Equipment and Customer Cabling) Notice 2001, a certification body may issue a statement to a supplier certifying that an item of customer equipment or cabling meets a particular section 376 technical standard. The ACMA has established guidelines for the use of certification bodies. A certification body is expected to take these guidelines into account when making decisions to issue written statements certifying that customer equipment or customer cabling complies with applicable section 376 technical standards. During 2011–12, the Executive Manager, Infrastructure Regulation Branch, acting as an approving body under subsection 410(1) of the Telecommunications Act, determined three entities to be certification bodies for the purposes of Division 7 of Part 21 of the Act. Details of the entities are listed on the ACMA website.

Telecommunications infrastructure regulation

Carriers' rights and obligations

Schedule 3 of the Telecommunications Act gives carriers the power to inspect land to determine whether it is suitable for their purposes, install certain facilities on the land and maintain a facility that is situated on the land.

The Telecommunications (Low-impact Facilities) Determination 1997 specifies the types of facilities, known as 'low-impact' facilities, that carriers are entitled to install without seeking state, territory or local government planning approval. Examples of low-impact facilities include small radiocommunications antennae and dishes that are erected on existing towers or buildings and underground cables,

The installation of telecommunications facilities that fall outside the scope of the Low-impact Facilities Determination are likely to require approval by relevant state, territory or local planning authorities. In exercising their powers to inspect land, install certain facilities and maintain infrastructure, carriers must comply with conditions specified in the Telecommunications Code of Practice 1997.

Under the code, carriers must notify the owner and occupier of the land about their activities, ensure as little detriment and damage as possible is caused by the activity and restore the land to a condition similar to how it was before the activity commenced.

The ACMA may investigate suspected breaches of the Telecommunications Act, the Code of Practice and industry codes registered by the ACMA.

Enquiries and complaints about carriers' rights and obligations

In 2011–12, the ACMA received one complaint about matters covered by Schedule 3 of the Telecommunications Act, and advice was provided to the complainant. The ACMA also received 108 enquiries from local councils, solicitors, landowners and the public about Schedule 3 of the Telecommunications Act and the Code of Practice.

Mobile phone base station deployment

The planning and installation of mobile phone network infrastructure is subject to the requirements imposed by the Industry Code C564:2011 *Mobile Phone Base Station Deployment*. The code is registered by the ACMA under Part 6 of the Telecommunications Act and will come into effect on 1 July 2012. The code was developed by CA following a review of the previous code, C564:2004 *Deployment of Mobile Phone Network Infrastructure*.

Under the code, industry must take a consultative and precautionary approach to the deployment of mobile phone network infrastructure. The code requires carriers to consult with local councils and the community on the placement of certain mobile phone facilities, typically low-impact facilities. People who are not satisfied that a carrier has complied with the code may make a complaint to the ACMA. In accordance with Part 26 of the Telecommunications Act, the ACMA may do one of the following:

- > decide to investigate the matter
- > make preliminary enquiries of the respondent to decide whether or not it should investigate the matter
- > decide not to investigate the matter.

The criteria to consider are those set out in the code and in Schedule 3 to the Telecommunications Act. The ACMA has the power to issue formal warnings and directions to carriers to comply with the code. It does not have the power to make a carrier relocate its facility.

In 2011–12, the ACMA received seven complaints and 40 enquiries about the industry code. Of the complaints received, including six that progressed to preliminary enquiries, the ACMA considered that the matters raised were not sufficient to substantiate a claim of carrier contravention of the industry code. Carriers conducted an estimated 3,580 consultations under the code during this period.

The ACMA promotes a common understanding and interpretation of the requirements of the code through feedback to individual carriers and operational practices meetings. These meetings are attended by representatives from Telstra, Optus and Vodafone Hutchison Australia, and from the Mobile Carriers Forum (MCF)—an industry group representing the mobile phone carriers in Australia.

Submarine cable protection

Submarine cables carry the bulk of Australia's international voice and data traffic and contribute significantly to the Australian economy.

Schedule 3A of the Telecommunications Act permits the ACMA to declare protection zones over nationally significant cables and to prohibit or restrict activities that pose a risk of damaging cables in these zones. The legislation establishes offences for damaging a cable or for breaching prohibitions and restrictions, and creates penalties for these offences. Australia currently has three submarine cable protection zones—two off the Sydney coast and one off the Perth coast.

No new submarine cable protection zones were considered during 2011–12.

The legislation also provides for a permit regime that requires carriers to obtain a permit from the ACMA to install a new submarine cable within and outside a protection zone. This regime provides for more consistent and efficient cable planning and encourages the co-location of new cables in existing protection zones.

In 2011–12, the ACMA granted two installation permits (a protection zone permit and a non-protection zone permit) to Nextgen Networks Pty Ltd for a submarine cable intended to connect City Beach in metropolitan Perth to Singapore. The permits authorise installation of a cable in the Perth Submarine Cable Protection Zone and the Australian Economic Exclusion Zone.

Compliance and enforcement

The ACMA works with the communications and media industries to establish compliance with legislation, codes, licence conditions and other regulatory instruments. The ACMA also registers and monitors compliance with industry codes developed by the communications industry.

The ACMA applies a principles- and risk-based approach to compliance and enforcement that generally:

- > recognises the capacity of regulated entities to become compliant
- > reflects the importance of cooperative approaches using, among other things, education and awareness to achieve voluntary compliance but recognises that a range of escalated compliance actions are available, as demonstrated in the examples below
- > matches enforcement responses so they are proportional to the seriousness of the non-compliance, and takes account of broader compliance objectives
- > maintains flexibility and preparedness to escalate and de-escalate compliance action.

This approach supports and enables the effective and efficient achievement of compliance objectives so that any regulatory burden imposed by the ACMA's compliance activities is the minimum necessary to achieve the intended compliance outcome.

The following section discusses compliance in the major areas of:

- > radiocommunications
- > cabling and labelling
- > telecommunications
- > telemarketing and fax marketing
- > e-marketing
- > broadcasting
- > online content
- > interactive gambling.

Radiocommunications compliance

The ACMA conducts investigations into suspected contraventions of the Radiocommunications Act and subordinate instruments relating to the operation of radiocommunications transmitters. These contraventions include unlicensed operation of transmitters, breaches of licence conditions and breaches of offence provisions relating to interference.

Prohibited devices—education and awareness principles at work

Mobile phone jammers have been prohibited devices under section 189 of the Radiocommunications Act since 1999.

Following the successful implementation of a compliance strategy targeted at Australian-based suppliers in the previous period, the ACMA has adopted a similar approach to educating online consumers. A compliance strategy was crafted that targets online purchasers for education and awareness in the first instance, in accordance with the ACMA's compliance principles.

The ACMA has established arrangements with Australia Post designed to detect and hand over to the ACMA prohibited devices travelling in the international mail stream. The ACMA has also established relationships with three private international mail carriers and received in-principle agreement that they hand prohibited devices to the ACMA when detected in the international mail stream.

In the reporting period, 179 devices were detected and handed to the ACMA. As a result, the ACMA sent a letter to the intended recipients of prohibited devices intercepted at international gateways. The letter advised them that the device they purchased online from an overseas retailer was prohibited and had been forfeited to the Commonwealth. They were also advised that penalties may apply if, under section 189 of the Radiocommunications Act, they were found to have purchased a prohibited device again.

This approach reduced the risk to spectrum utility and interference to mobile phone users without imposing an undue burden on industry or consumers, in accordance with the established compliance principles.

Supplier auditing program

The ACMA is re-aligning its method for collecting data and responding to issues. The new approach sees a shift from targeting those who are registered—displaying a willingness to comply—to those who sell goods via unregulated channels, such as online shopping. The intelligence gathered from public complaints and reports, desktop audits of websites and field operations intelligence will inform the ACMA's future priorities.

For this reason, the ACMA has shifted its focus away from auditing suppliers who are registered to use the C-Tick for consumer electrical and electronic devices and the A-Tick for consumer devices such as mobile phones.

One case that illustrates this change in focus was a situation where an Emergency Position Indicating Radio Beacon (EPIRB) device did not comply with the relevant Australian standard. Such devices are used to signal maritime distress, and the ACMA considered the non-compliance to be a safety-of-life issue. Following negotiations with the ACMA, the ACCC and other agencies, the supplier rectified the non-compliant aspect of its device.

Nonetheless, the auditing program is still used in certain circumstances to achieve compliance with the labelling and record-keeping requirements for products supplied by the registered supplier under the Radiocommunications Act and Telecommunications Act.

The labelling and record-keeping requirements are contained in the:

- > Radiocommunications Labelling (Electromagnetic Compatibility) Notice 2008
- > Radiocommunications Devices (Compliance Labelling) Notice 2003
- > Radiocommunications (Compliance Labelling – Electromagnetic Radiation) Notice 2003
- > Telecommunications Labelling (Customer Equipment and Customer Cabling) Notice 2001.

See also *Regulatory arrangements—technical standards and labelling notices* on page 77.

Licensing compliance—statutory enforcement principles at work

During 2011–12, the ACMA conducted 166 investigations into non-compliance with the transmitter licensing regulatory arrangements and issued 130 compliance actions (see Table 23).

In September 2011, the ACMA, acting on allegations of severe interference to radiocommunications, executed a Radiocommunications Act search warrant, seizing unlicensed radio equipment. The ACMA proceeded with prosecution in January 2012 as all previous lower-level compliance actions failed to amend the defendant's operations. The defendant pleaded guilty to charges of unlicensed operation, possession of radiocommunications equipment and causing interference. The defendant received a 12-month good behaviour bond and was ordered to dispose of his unlicensed radiocommunications equipment within four months.

Taking another approach due to differing circumstances, in 2012 the ACMA worked closely to achieve compliance from a person who was the subject of numerous complaints of apparently causing interference on the Citizens Band Radio Station (CBRS). Following several discussions with the subject, the serving of a warning letter and an undertaking from the subject to dispose of his radiocommunications equipment, there have been no further complaints about CBRS interference by this individual.

In the previous reporting period, the ACMA used an escalating compliance approach in response to the unlicensed operation of radiocommunications equipment by a national provider of paging services. While infringement notices issued in the previous reporting period were paid, unlicensed operation continued in 2011–12, so the ACMA kept engaging with the company in order to achieve compliance with statutory requirements. Administrators were appointed in November 2011 and compliance and enforcement action by the ACMA ended after the administrators decided to wind up the company in December 2011.

Low-power open narrowcasting (LPON) services

LPON services provide niche radio broadcasting services to an audience in a limited area of reception (for example, tourist information services) or for a regular event. LPONs are very low power—not more than one watt in residential areas or 10 watts in rural areas. LPON licences are also subject to conditions relating to operation of the service—the 'use it or lose it' provisions. When a complaint is made about the failure to provide an LPON service, ACMA staff conduct an investigation that takes into account the complaint and the licensee's response (see Table 24). In determining an appropriate compliance response to the complaint, the ACMA also considers how to ensure that the LPON spectrum is being used to provide a service to the public in accordance with the licence conditions.

In the reporting period, the ACMA cancelled four LPON apparatus licences for breaches of the 'use it or lose' licence conditions.

Table 22: Audits of registered suppliers, 2010–11 and 2011–12

Action type	Number of actions	
	2010–11	2011–12
Audits conducted	243	26
Failed audits	58	4

Table 23: Radiocommunications compliance investigations, 2010–11 and 2011–12

Action type	Number of actions	
	2010–11	2011–12
Radiocommunications-related investigations	139	143
Advice notices issued	31	35
Warning notices issued	33	77
Infringement notices	17	0
Notices related to unlicensed operation of a transmitter	52	130

Radiocommunications interference management

The ACMA administers radiocommunications licensing arrangements established by the Radiocommunications Act. It undertakes field-based activities relating to interference management that involve the field investigation of interference to radiocommunications, telecommunications and broadcast services.

During the reporting period, the ACMA had 29 staff in five offices—Brisbane, Canberra, Hobart, Melbourne and Sydney—who were responsible for field activities and had access to 22 specially equipped vehicles.

Key field operations activities include:

- > managing radiocommunications and broadcasting interference complaints
- > conducting investigations
- > performing digital television field strength measurements to support the coverage evaluation program (see *Signal measurement and field analysis* on page 46 for more information)
- > undertaking compliance activities (audits and site inspections)
- > providing radiocommunications support for major events (for example, the Australian Formula One Grand Prix and the Australian Motorcycle Grand Prix)
- > performing HF monitoring and investigation from the Quoin Ridge facility.

The Quoin Ridge monitoring and investigation facility near Hobart is a primary means of investigating, locating and eliminating harmful interference to the HF band from national and international sources. The information is gathered and forwarded to international regulators to help resolve interference to international services with reciprocal requests to international regulators to help resolve local interference issues.

The ACMA investigates complaints about interference to licensed radiocommunications services and domestic broadcast reception systems. Radiocommunications interference affects radiocommunications receivers used typically in commercial, public safety and recreational services. Domestic systems interference affects the reception of licensed radio or television broadcast services in domestic premises.

A failure to comply with technical standards or transmitter licence conditions may result in interference to radiocommunications. To determine compliance with the regulatory framework, the ACMA regularly conducts interference tasks and site audits tasks in response to complaints and site audits on a risk-assessed basis.

During the reporting period, the ACMA responded to 497 complaints of interference to radiocommunications services (465 in 2010–11) and 397 complaints of interference to domestic radio and television broadcast reception (366 in 2010–11). The ACMA also inspected 727 radiocommunications sites for compliance with transmitter licence conditions (294 in 2010–11). As a result of interference investigations and site inspection activities, the ACMA issued 318 advice and warning notices (see Table 25).

Table 24: LPON investigations, 2010–11 and 2011–12

Action type	Number of actions	
	2010–11	2011–12
LPON investigations conducted	4	6

Table 25: Radiocommunications enforcement actions, 2010–11 and 2011–12

Action type	Number of actions	
	2010–11	2011–12
Advice notices issued	230	250
Warning notices issued	30	68
Total	260	318

Of the 497 complaints of interference to radiocommunications services, 255 involved complaints of interference to mobile telecommunications networks (238 in 2010–11). A further 29 radiocommunications complaints involved interference to public protection radio services, including to emergency services radio networks and air traffic communications (18 in 2010–11). The ACMA processed all radiocommunications interference complaints related to safety-of-life issues immediately on receipt. Of the public protection complaints that were affected by external interference, the ACMA resolved 84 per cent of these within 10 days. The ACMA also located 12 inappropriately activated EPIRBs (17 in 2010–11).

Special events

As part of their risk management process, organisers of the following special events contracted the ACMA to provide radiocommunications frequency coordination and interference resolution services.

- > Commonwealth Heads of Government Meeting, Perth, 24–31 October 2011
- > Australian Motorcycle Grand Prix, Phillip Island, 12–16 October 2011
- > Australian Formula One Grand Prix, Melbourne, 13–18 March 2012.

The ACMA staff who supported these events were faced with a range of issues involving interference to the radiocommunications services used by the event organisers, international competitors and race teams, and to both local and international television and broadcast services. All technical issues were successfully resolved with positive feedback received from the organisers of the events.

Radiocommunications compliance laboratory

The ACMA's radiocommunications compliance laboratory carries out compliance testing of radiocommunications devices. The main purpose of the laboratory is to support compliance of the Australian radiocommunications industry with regulatory arrangements such as the radiocommunications standards compliance and labelling arrangements. Devices that comply with the standards are able to be labelled and supplied to the Australian market. Spectrum impact assessments are also performed on radiocommunications devices.

A total of 59 devices were tested during the financial year, which resulted in 98 compliance test reports being produced.

The laboratory is accredited by the National Association of Testing Authorities (NATA) for assessing compliance to compliance level three for the full range of international and ACMA standards.

Cabling and labelling compliance

The ACMA accepts complaints from industry and the public about telecommunications cabling and compliance by suppliers of devices subject to the labelling arrangements for radiocommunications, telecommunications, human exposure to electromagnetic energy and electromagnetic compatibility compliance. The ACMA's complaints-handling strategy seeks to engage cooperatively with both the complainant and the subject of the complaint.

In the reporting period, the ACMA investigated 36 complaints about cabling and 89 complaints about compliance labelling arrangements. The investigations resulted in the issuing of two warning notices.

Telecommunications compliance

This section highlights the ACMA's telecommunications compliance and enforcement activities during the reporting period.

The ACMA's approach to telecommunications code compliance

The ACMA undertakes a range of activities to promote compliance with the Telecommunications Consumer Protections Code (the TCP Code) and achieve better outcomes for consumers.

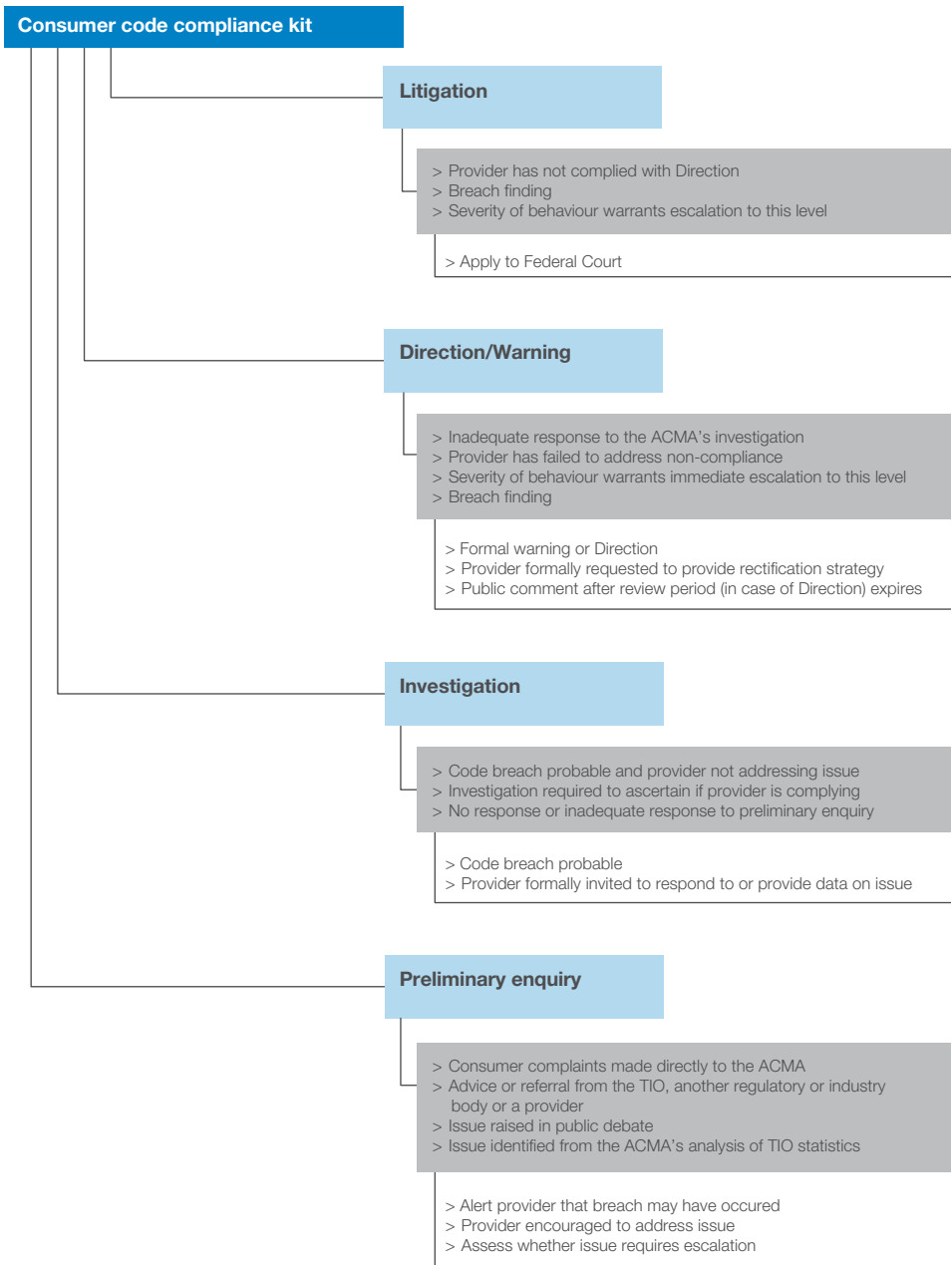
During the reporting period, the ACMA's main areas of focus have been:

- > securing improvements in consumer protection through the TCP Code review
- > investigating specific referrals from the TIO concerning non-compliance with the scheme
- > undertaking code 'audit' programs of provider compliance with:
 - > financial hardship
 - > privacy of billing information
- > monitoring obligations in the TCP Code.

The ACMA uses its code compliance work to generate compliance, identify gaps in regulation and inform future regulatory development.

Figure 3 illustrates the ACMA's graduated approach to TCP Code compliance, under which it generally uses the minimum power or intervention needed to achieve the desired outcome.

Figure 3: The ACMA's toolkit for telecommunications code enforcement



Vodafone investigation

The ACMA finalised its investigation into Vodafone Hutchison Australia (VHA) and associated companies, trading as Vodafone, in December 2011.

The ACMA found that Vodafone Pty Ltd and Vodafone Network Pty Ltd had breached the following provisions of the TCP Code:

- > clause 3.2.1 as it failed to provide timely customer information about network performance issues in late 2010
- > clause 4.2.4(a)(iii) as it did not, between September 2010 and January 2011, adequately advise new customers of known limitations in network coverage
- > clause 6.8.1, which requires a supplier to protect the privacy of each customer's billing and related personal information, as it was found to have poor systems in place to protect the privacy of customers' personal details prior to January 2011
- > clauses 9.1.1(e) and 9.1.8 as it failed to classify and analyse complaints as required by the TCP Code.

The ACMA issued a direction to the companies under section 121 of the Telecommunications Act requiring them to comply with the TCP Code.

Telstra's compliance with clause 6.8.1 of the TCP Code

In May 2012, the ACMA found Telstra had breached clause 6.8.1 of the TCP Code by failing to protect the privacy of the names and addresses of approximately 734,000 Telstra customers, and the usernames and passwords of up to 41,000 of those customers.

Auditing the privacy of billing information

The TCP Code and Telecommunications Act impose obligations on providers about the disclosure and use of information gathered in the course of conducting their businesses.⁹

The ACMA continued its audit of the 10 large providers to determine the measures that each has in place to safeguard the personal information of customers and the adequacy of these measures.

The ACMA's analysis of initial responses indicated that for eight providers, there were areas that required more detailed investigation. These investigations commenced in September 2011.

The ACMA was satisfied that all providers investigated had appropriate measures in place to meet their requirements under the Act and the TCP Code. However, recommendations were made to two of these providers on areas for improvement.

Privacy incident protocols

In late 2011 and early 2012, the ACMA became concerned about a number of incidents and allegations about unauthorised access to customer information. The ACMA wrote to eight CSPs about the measures they have in place to address actual or suspected privacy incidents. Responses varied in adequacy and the ACMA intends to release guidance on good practice in the near future.

Mobile premium services

The number of complaints about mobile premium services recorded by the TIO remained low during the reporting period, having fallen around 85 per cent from their peak of almost 10,000 in the September 2008 quarter to just over 1,470 in the June 2012 quarter.

Using advertising, market intelligence, referrals from other agencies and information provided by industry, the ACMA identified services and providers to audit for compliance with the Mobile Premium Services Code (MPS Code). Using compliance audits, the ACMA identified potential contraventions of the MPS Code and brought the problem to the attention of the premium service providers. In most cases, informal action has resulted in changes to services to achieve future compliance.

Along with the development of the new MPS Code, which came into effect on 1 June 2012, the ACMA adopted a new approach to code compliance that reflects the current operating environment of the mobile premium services market. The ACMA focused on three activities:

- > environmental scanning—industry trends are monitored and multiple information sources analysed to identify emerging consumer protection issues
- > strategic investigations—look at trends of non-compliance in complaints/monitoring data for particular service providers or service type

⁹ Under clause 6.8 of the TCP code, 'A Supplier must protect the privacy of each Customer's Billing and related personal information'.

- > stakeholder education and engagement—the ACMA presented to a CA education seminar attended by over 50 industry professionals in March 2012. This presentation highlighted key changes and provided guidance to industry about adopting a new approach to mobile premium services regulatory compliance.

In 2011–12, the ACMA finalised four investigations of contraventions of the code under paragraph 510(1)(c) of the Telecommunications Act and issued two directions to comply to suppliers of mobile premium services.

The ACMA also audited industry compliance with the two service provider determinations that apply to mobile premium services. It found that all mobile CSPs complied with the Telecommunications Service Provider (Mobile Premium Services) Determination 2010 (No. 1) by offering barring of mobile premium services and providing information about barring to their customers at the required intervals.

It also found that all mobile content aggregators complied with Telecommunications Service Provider (Mobile Premium Services) Determination 2010 (No. 2) by having contracts only with content providers that were listed on the CA register.

Telemarketing and fax marketing compliance

The ACMA is responsible for enforcing the *Do Not Call Register Act 2006* (DNCR Act) and two related industry standards—the Telecommunications Telemarketing and Research Industry Standard 2007 and the Fax Marketing Industry Standard 2011.

Information about the operation of the register is available on page 129.

The DNCR Act prohibits most types of unsolicited telemarketing calls and marketing faxes being made or sent to numbers that are listed on the register. If people with numbers listed on the register receive telemarketing calls or marketing faxes, they can complain to the ACMA either online or by telephone.

The Telemarketing and Research Industry Standard directs when and how telemarketers and researchers can contact individuals, including:

- > the times at which telemarketing and research calls cannot be made
- > information that must be provided by the caller including their name and business
- > triggers for terminating telemarketing and research calls
- > the use of calling line identification.

The Fax Marketing Industry Standard sets rules about when and how fax marketers can contact people, including:

- > when marketing faxes cannot be sent
- > information that must be provided on a marketing fax
- > provision of an opt-out functionality
- > the frequency with which marketing faxes may be sent in a particular period to a particular number.

Complaints

In 2011–12, the ACMA received a total of 21,969 complaints from consumers, of which 19,000 raised potential breaches of the DNCR Act and the related industry standards. This is the highest number of complaints received since the first year of operation of the register.

Figure 5 shows the classification of the complaints received by the ACMA during 2011–12 in terms of potential breaches of the DNCR Act, Telemarketing and Research Standard and Fax Marketing Standard.

Table 26 shows the ACMA's performance for the number of days taken to finalise telemarketing and fax marketing complaints. In 2011–12, this was within the ACMA's target time frames.

Figure 4: Complaints relating to telemarketing and fax marketing calls

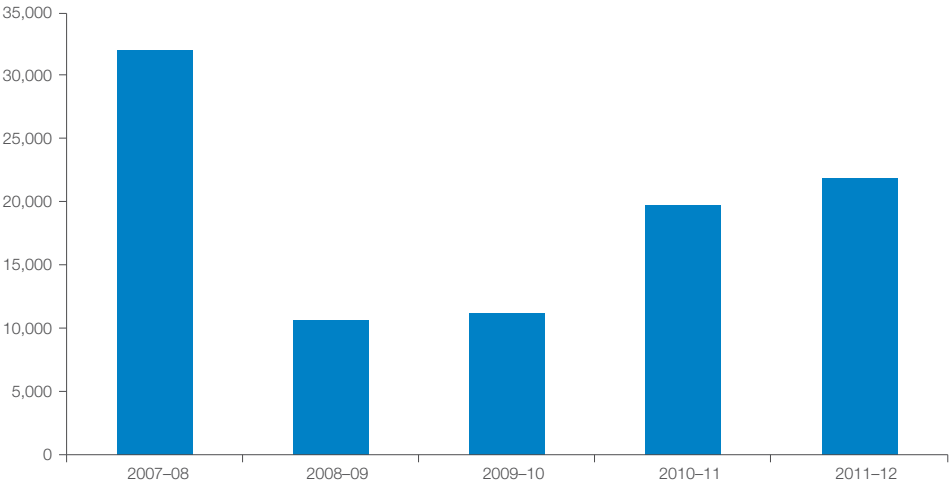
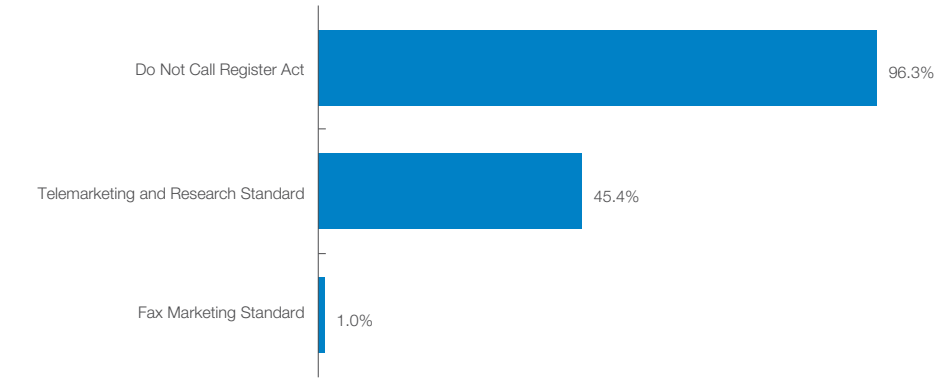


Figure 5: Classification of the complaints received by the ACMA in 2011–12



Note: Complaints may potentially breach both the DNCR Act and one of the standards, so figures do not add up to 100 per cent.

Table 26: ACMA's telemarketing and fax marketing complaints-handling performance, 2011–12

Measure (days to finalise)	Target (%)	Performance (%)
7	50	87.7
14	75	96.0
21	90	98.6

In 2011–12, the ACMA received a large number of complaints about telemarketing calls that promote online technical support services. This type of complaint comprised 44 per cent of the total complaints received. Given the apparent scam aspect of the calls, the ACMA referred these complainants to the ACCC.

The ACMA seeks information about telemarketing calls that are the subject of complaints in order to identify the origin of the calls. Information may be sought from CSPs, voice over internet protocol (VoIP) providers, operators of internet-PSTN gateways and international carriers to assess whether a telemarketer is contravening the DNCR Act. The ACMA has observed that using VoIP technologies to make telemarketing calls is becoming more prevalent. Calls made by VoIP can be carried by a number of providers and enter the Australian telephone network via an internet-PSTN gateway before connecting to an Australian telephone number.

Approach to compliance

The ACMA's staged approach to compliance—advise, warn and investigate—aims to minimise the number of unsolicited telemarketing calls made and marketing faxes sent to Australians who have registered their numbers. This staged approach targets businesses who are the subject of complaints in a graduated way, initially focusing on advising and educating them of their obligations and best practices under the DNCR Act and related industry standards.

1. Advise

The ACMA receives a complaint alleging that a person or business is making telemarketing calls or sending marketing faxes to a registered number. The ACMA sends an 'advisory' letter to the individual or business about the complaint, and provides information about the Do Not Call regulatory regime. The letter requests the individual or business to review their telemarketing or fax marketing activities to comply with the Do Not Call regulatory regime. The ACMA monitors the individual or business for ongoing compliance.

During 2011–12, the ACMA sent 963 advisory letters to individuals and businesses identified as potentially in breach of the Do Not Call regulatory regime.

2. Warn

The ACMA sends a warning letter to an individual or business where it receives five or more complaints within any 180-day period. The letter requests that they contact the ACMA to discuss their compliance with the Do Not Call regulatory regime. The ACMA provides the details of complaints and a copy of the *Do Not Call Register Act 2006—Compliance Guide* to assist the individual or business to conduct a critical review of its marketing activities.

During 2011–12, the ACMA sent 136 warning letters to individuals and businesses that were the subject of consumer complaints. The majority of individuals and businesses act on the advisory or warning letters, with the result that complaints to the ACMA decrease. The ACMA will cease to monitor an individual or business when complaints cease within a 180-day period.

3. Investigate

The ACMA may commence a formal investigation under the Telecommunications Act if it has reason to suspect that a telemarketer or fax marketer is contravening the Do Not Call regulatory regime. While the majority of investigations begin after the two informal stages of monitoring, the ACMA retains the discretion to act more urgently if required. The ACMA may decide to investigate a telemarketer or fax marketer based on the factors below:

- > the number of complaints received by the ACMA
- > the seriousness of the conduct
- > the response of the individual or business to the ACMA's notifications
- > the willingness of the telemarketer or fax marketer to engage with the ACMA
- > whether the individual or business is part of an industry sector with serious or systemic compliance issues
- > where a new, untested or unique legislative issue arises, and all parties may benefit from an investigation of the matter.

During 2011–12, the ACMA finalised 18 investigations and entered into four enforceable undertakings, gave four infringement notices and issued four formal warnings for 62 contraventions of the Do Not Call regulatory regime.

Some of the issues identified in investigations conducted by the ACMA in 2011–12 were:

- > inadequate oversight of outsourced call centres
- > failing to maintain appropriate systems and procedures to record requests from recipients of calls to opt out of further marketing.

The communications sector was a major subject of investigations in 2011–12. The ACMA accepted enforceable undertakings from Vodafone Hutchison Australia and Optus, which include commitments to:

- > keep comprehensive records
- > create robust procedures to record consent and consumer opt-out requests
- > conduct regular audits of telemarketing calls and report back to the ACMA.

Stakeholder engagement and international liaison

The ACMA increased its liaison with overseas regulators to address the issue of offshore telemarketers calling numbers on the Do Not Call Register to sell potential 'scam' online technical support services. The ACMA participates in the International Do Not Call regulators' forum, which expanded during 2011–12 to include eight new member nations. The ACMA participates in bi-monthly teleconferences with the forum to:

- > share information and experience about compliance best practice
- > identify global trends to develop a united response to common problems
- > help increase the effectiveness of regulating within a global context
- > discuss alternative ways to improve Do Not Call compliance by offshore businesses.

The ACMA co-chaired the inaugural International Do Not Call conference in Paris. The conference brought together regulators from Australia, Canada, Hong Kong, Ireland, Korea, the UK and the US to identify cross-border issues and challenges, and share information.

E-marketing compliance

Spam complaints and report-handling

The ACMA is responsible for enforcing the Spam Act, which requires that all commercial electronic messages—including emails, SMS and MMS messages, and instant messaging—be sent with the recipient's consent, clearly identify the sender and include a functional unsubscribe facility.

Members of the public can lodge complaints, reports and enquiries—collectively referred to as contacts—about spam on the ACMA website, and by email, telephone and SMS. The report process has now had a full year of operation under the new, simplified system, which allows members of the public to report spam by forwarding an email to report@submit.spam.acma.gov.au or forwarding spam SMS messages to 0429 999 888.

The ACMA has set a target of actioning 90 per cent of complaints within eight days of receipt. In 2011–12, 99.75 per cent of complaints were actioned within this period. Improvements to internal processes have allowed this result despite the enormous increase in contacts from members of the public in the reporting period about spam (226,816)—an increase of more than 620 per cent on 2010–11, and more than 3,725 per cent on 2009–10 (see Figure 6).

Following a full year under the new reporting system, 2011–12 saw an increased average of 18,901 contacts per month. The number of contacts continues to increase, with the six months from January to June 2012 averaging 24,230 contacts per month.

The total number of contacts received about email spam was 218,408, a 900 per cent increase from 2010–11. SMS and MMS contacts decreased to 7,411—almost 10 per cent fewer than the number reported the previous year (see Figure 6).

The substantial increase in the total number of complaints and reports received in 2011–12 has had the immediate impact of exposing a greater number of businesses that rely on e-marketing to the ACMA's attention. The ACMA has taken the opportunity to give clear educational information and links to businesses that are the subject of complaints and reports of potential contraventions of the Spam Act. In 2011–12, 4,206 informal warning letters were issued—a 106 per cent increase over the 2,041 letters sent in 2010–11. The ACMA has found this targeted approach to be an efficient strategy that has seen 64 per cent of businesses contacted for the first time in 2011–12 receive no further complaints or reports.

Figure 6: Trends in contacts about email and SMS messages, 2006–07 to 2011–12

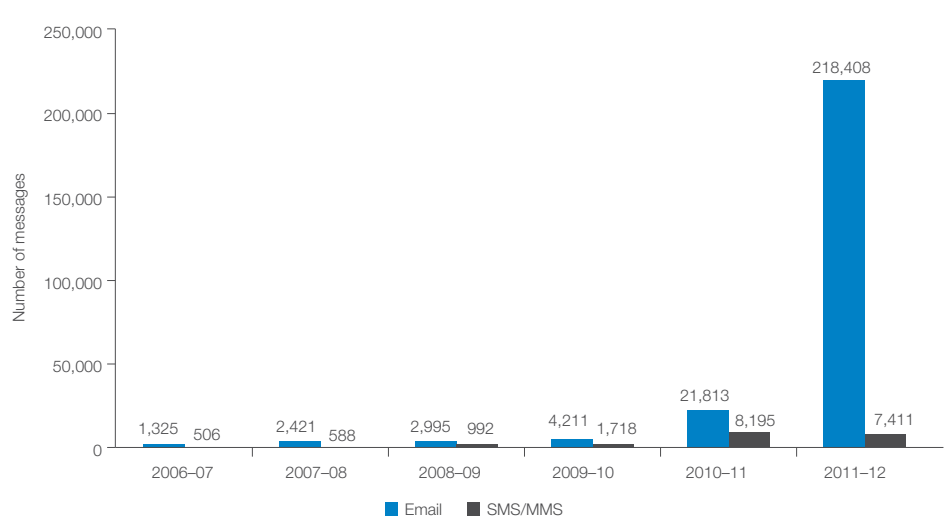
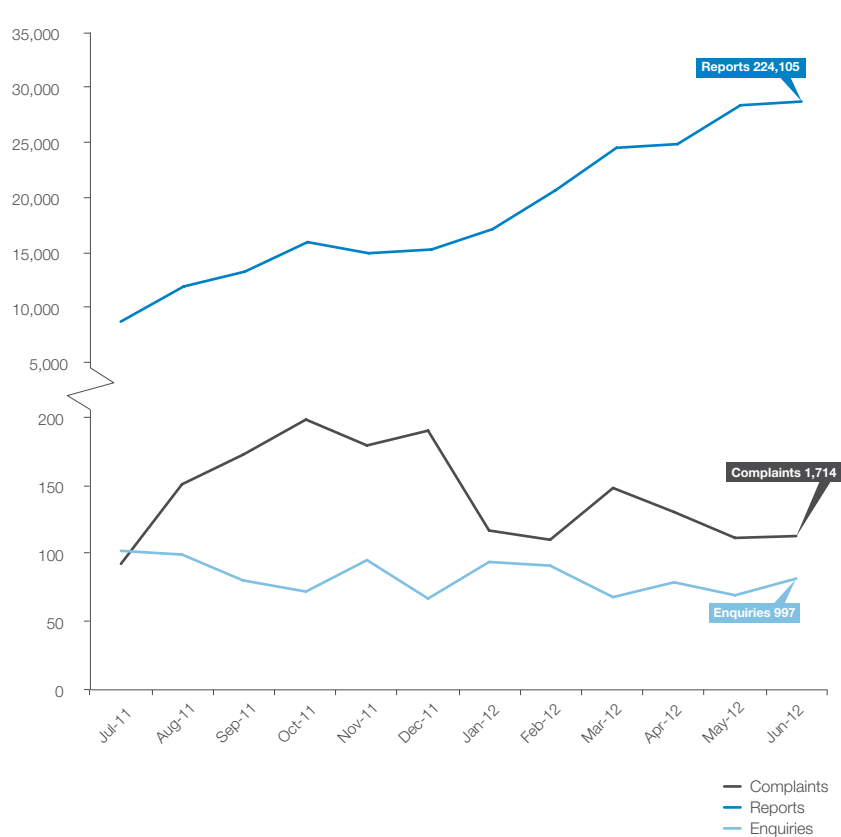


Figure 7: Complaints, reports and enquiries made about spam, July 2011 to June 2012



Enforcement

During 2011–12, the ACMA accepted enforceable undertakings from Nokia Corporation, EventsHQ Pty Ltd and JER Pty Ltd. Each undertaking was the result of an investigation into complaints alleging that the company sent commercial electronic messages in a manner not consistent with the requirements of the Spam Act.

Undertakings under the Spam Act generally address areas such as training, quality assurance and auditing, and seek to develop sustainable improvements to a business's e-marketing policies and procedures.

In 2011–12, seven formal warnings, relating to electronic messages sent without consent, sender identification or functional unsubscribe facilities, were issued to:

- > Image Marketing Group Ltd
- > Apus Corporation Pty Ltd
- > Select Print Solutions Pty Ltd
- > SThree Australia Pty Ltd
- > Ezystays Pty Ltd
- > Global Billing Solutions Pty Ltd
- > Moosta Pty Ltd.

During 2011–12, the ACMA completed 12 investigations into potential contraventions of the Spam Act.

Education initiatives

Education is a key component in the fight against spam. To assist industry and the public, the ACMA has developed an education strategy that spans two major campaigns:

- > advising end users about spam prevention
- > raising industry awareness of the Spam Act and responsible e-marketing practices.

The ACMA focuses its education efforts strategically by promoting four key messages:

- > 'Ignore it, report it, delete it'—spam scams
- > 'Tell us about it'—SMS spam
- > 'Consent, sender ID, unsubscribe'—e-marketing industry
- > 'Successful e-marketing ... it's about reputation'—e-marketing industry.

During the reporting period, the ACMA launched a new educational campaign aimed directly at increasing its reach to businesses that market through electronic means. 'Successful e-marketing ... it's about reputation' offers useful information and advice to businesses that use e-marketing. It highlights that e-marketing should not be a numbers game and that compliance with the Spam Act can go a long way to enhancing an organisation's reputation.

The campaign also includes a regular 'e-marketing blog' that provides more specific information and advice to its 170 subscribers (as well as others that follow it via RSS feed). Since July 2011, 14 blogs have covered topics ranging from 'Express consent is best consent' to 'Keeping it real—don't be mistaken for a scammer'.

More than 400 electronic marketers are directed to the ACMA's successful e-marketing information and e-marketing blog each month.

During 2011–12, the ACMA spoke and exhibited at various forums on e-marketing best practices, methods of achieving compliance and matters related to spam more broadly. These forums include:

- > Conference on E-Security and Anti-Spam (CEAS) 2011 (keynote speech)
- > The Australasian Compliance Institute Annual Conference
- > Mumbrella Masterclass—Managing risk in social media
- > The Professional e-Bay Sellers Association Internet Conference.

International cooperation

The ACMA is actively involved in international efforts to counter spam and enhance e-security.

The ACMA is a founding member of the London Action Plan (LAP), a prominent anti-spam international collaboration committed to promoting international spam enforcement cooperation, addressing spam-related problems and facilitating the open exchange of information and intelligence between LAP members. The LAP provides an opportunity for the ACMA's active participation with other relevant Australian and international law enforcement bodies.

At 30 June 2011, the LAP had 42 government members, 43 industry participants and five observers. The ACMA participates in regular teleconferences with other organisations represented in the LAP.

A LAP workshop in October 2011 focused strongly on exploring avenues for information-sharing, and the ACMA led a discussion on spam reporting centres. The ACMA also presented to the OECD in a discussion on current international spam initiatives.

In 2011–12, the ACMA chaired a meeting of the Seoul–Melbourne Multilateral Memorandum of Understanding (MOU) on Cooperation in Countering Spam, a group of 13 members representing 10 Asia–Pacific economies. The MOU continues the established objective of sharing information between members about spam activity relevant to each member's jurisdiction.

The ACMA continues to receive assistance from overseas agencies in the exchange of information and it shares information on anti-spam activities and trends.

Broadcasting compliance—complaints and investigations

The ACMA conducts investigations into matters related to broadcasting codes of practice and compliance with obligations in the BSA, including licence conditions and program standards.

Most investigations are undertaken in response to complaints. The ACMA can investigate complaints made directly to it if they are about a licensee's compliance with a licence condition or a program standard. The ACMA can also initiate investigations and conduct investigations at the direction of the minister.

The ACMA's performance of its role is informed by section 5 of the BSA, which requires the ACMA to, among other things:

- > produce regulatory arrangements that are stable and predictable
- > deal effectively with breaches of the legislation
- > use its powers in a manner that is commensurate with the seriousness of the breach concerned.

Broadcasting codes of practice

The ACMA's co-regulatory role in dealing with complaints under industry codes is prescribed by the BSA. The BSA provides that a complaint should be made first to a

broadcaster and then to the ACMA if the complainant either:

- > has not received a response within 60 days after making the complaint
- > has received a response within that period but considers it to be inadequate.

Section 123 of the BSA allows commercial, subscription, narrowcast and community sections of the broadcasting industry to develop codes of practice and submit those codes to the ACMA for registration. Before registering a code under section 123(4) of the BSA, the ACMA must be satisfied that:

- > the code provides appropriate community safeguards for the matters that it covers
- > the code was endorsed by a majority of providers of broadcasting services in that section of the industry
- > members of the public have been given an adequate opportunity to comment.

National broadcasters notify their codes to the ACMA.

Copies of the codes currently registered or notified to the ACMA are available on the ACMA website.

Licence conditions

The BSA includes a number of licence conditions made by the Australian Parliament including those relating to captioning, tobacco advertising, political and election matter, material classified 'refused classification', local content and local presence. The ACMA also has the power to impose additional licence conditions on individual licensees.

Standards

The ACMA may determine program standards where codes of practice fail or where no code of practice is developed by industry.

Issues of particular concern to Australian citizens are generally covered by program standards. There are currently program standards covering:

- > anti-terrorism on narrowcast services
- > advertising on commercial radio
- > commercial influence on commercial radio current affairs programs
- > children's programming on commercial television
- > Australian content on commercial television.

The ACMA's enforcement powers under the BSA

The ACMA has a range of powers with which to address breaches of the BSA, licence conditions, program standards or industry codes.

Where there has been a breach of a code, the ACMA may accept an enforceable undertaking for the purpose of securing future compliance with the code or impose an additional licence condition under section 43 of the BSA requiring a licensee to comply with the code.

For a licence condition to be imposed under section 43, the ACMA first needs to give the licensee written notice of its intention to impose the licence condition. The licensee must be given a reasonable opportunity to make representations to the ACMA about the proposed licence condition, and both the proposed and any final licence condition must be published in the *Commonwealth Gazette*. The licensee can apply for the ACMA's decision to be reviewed by the Administrative Appeals Tribunal.

In the event of a breach of a licence condition, including an additional licence condition imposed by the ACMA under the BSA, the ACMA has the power to give the licensee a remedial direction requiring compliance, or to suspend or cancel the licence. In the case of licence conditions imposed by the parliament, breaches can result in civil or criminal proceedings.

The ACMA may also informally agree to accept measures by broadcasters to improve compliance following breaches of codes of practice. For example, the ACMA has, on many occasions, agreed on measures with licensees involving action intended to ensure they address compliance problems.

Investigations conducted by the ACMA in 2011–12

The number of complaints and investigations about radio and television licensees' compliance with codes of practice, licence conditions, standards and the BSA are provided in Table 27. Investigations that attracted public comment are discussed below. Details of breach and non-breach findings by state and territory and category of broadcasting service are in Appendix 6.

Table 27: Summary of broadcasting complaints and investigations for commercial, national and community broadcasters

Written complaints and enquiries received	2,273
Written complaints and enquiries actioned within time frame of seven days	2,240 (98.5%)
Investigations completed	232
Investigations resulting in breach findings	71
Investigations of compliance with BSA	0
Investigations of compliance with licence conditions or standards	37
Investigations of compliance with codes of practice	34
Investigations resulting in non-breach findings	156
Investigations of compliance with BSA	0
Investigations of compliance with licence conditions or standards	33
Investigations of compliance with codes of practice	123
Investigations concluded where, for example, the complaint is withdrawn	5
Investigation completed within time frame of six months	216 (93%)
Investigations resulting in formal enforcement action	

Today FM Sydney Pty Ltd—additional licence condition imposed for a period of five years. The additional condition elevates the codes' decency requirement to a condition on the broadcaster's licence.
Seven Network licensees broadcasting in the five mainland capital cities—remedial direction issued requiring a process for reviewing non-program material prior to being broadcast during preschool program periods, and that training in Children's Television Standards is conducted for appropriate employees.

**Not all investigation details are made public; therefore, not all investigations are listed in Appendix 6.*
***Some investigations that resulted in breach findings against compliance with licence conditions or standards may also result in breach findings of compliance with codes of practice. For the purposes of the annual report, these investigations have only been counted once. For further details, see Appendix 6.*

Investigation 2689—General Television Corporation Pty Ltd (Vic., *Two and a Half Men*, 27 September 2011)

In response to the 20 February 2012 breach finding of the BSA captioning provisions, the Network Nine licensee (GTV) agreed to put in place measures to better ensure compliance. These measures include assigning a staff member to manage captioning, specific procedures for captioning late arriving programs and, over a period of 18 months, monthly reporting to the ACMA and quarterly independent audits to identify captioning problems.

Investigation 2686—TCN Channel Nine Sydney Pty Ltd, the licensee of TCN (*NRL First Preliminary Final*, 23 September 2011)

The ACMA investigated complaints about criticism made during the program of a government initiative at the time to introduce mandatory pre-commitment for poker machine gambling.

The ACMA found no breach of the licence condition set out at paragraph 7(1)(j) of Schedule 2 of the BSA, which requires compliance with clause 4 of Schedule 2 to the BSA. The ACMA found that the material was not broadcast at the request of another person and therefore did not need to be ‘tagged’ with particulars such as the identity of the person authorising the material.

The ACMA found a breach of clause 7.15 of the Commercial Television Industry Code of Practice 2010, which requires licensees to make ‘every reasonable effort’ to resolve code complaints. The ACMA found that TCN’s responses to two complaints were at best misleading, because they contained an erroneous description of the material broadcast.

The ACMA also found no breach for clauses:

- > 1.16 (distinction between commercials etc. and program material)
- > 1.18 (distinction between paid material and other program material)
- > 1.20–1.21 (disclosure of commercial arrangements).

The ACMA found no evidence that the licensee had received, or was promised, payment or other forms of valuable consideration for the broadcast.

Nine is already subject to an enforceable undertaking (EU) regarding a number of aspects of its complaints-handling. In response to these latest findings, Nine has agreed to enhance and extend the terms of this EU. Additional measures will include oversight of complaints-handling by a nominated Nine director and board-level exposure to regular complaints-handling reports documenting the network’s performance. The EU will also be extended for an additional two years.

Investigation 2582—5AN Adelaide (the ABC radio program *Breakfast*, 5 April 2011)

The ACMA found that 5AN breached the impartiality requirements (clause 3.4) of the ABC Code of Practice 2007 in an interview with South Australian state politician Kevin Foley.

The ACMA found that the presenters displayed fixed prejudgment on the topics discussed, asked loaded questions and used disparaging language.

One of the complainants also alleged that the broadcast had conveyed prejudice on grounds of sex and disability (clause 2.7). The ACMA did not uphold this aspect of the complaint.

The ABC acknowledged the outcome, discussed it with the presenters and noted the ACMA’s approach in this case on matters of impartiality. Since this was the first breach of the impartiality provisions of an ABC code of practice since 2004, the ACMA decided to take no further action.

2GB investigations—Commercial Radio Code of Practice

During the reporting period, the ACMA finalised a series of investigations involving Harbour Radio, the licensee of Radio 2GB.

The investigations issues covered accuracy and presentation of significant viewpoints, incitement of violence and contemporary standards of decency.

Some of the complainants also alleged that 2GB had failed to deal with their complaints in the manner required by the codes.

The ACMA found 2GB breached the codes by failing to:

- > accurately present current affairs material broadcast in *The Alan Jones Breakfast Show* on 15 March 2011, when Mr Jones made a statement about the contribution of human activity to carbon dioxide levels
- > adequately comply with the codes' complaints-handling provisions for a number of the complaints made.

Even though 2GB's broadcasts about the Australian Government's proposal to introduce a carbon tax were predominantly critical of that proposal, the ACMA found that a number of different views were presented on this controversial issue across similar programs in the licensee's schedule. This was sufficient for the licensee to meet its codes obligation, as the codes do not require 'balance' or 'equal time' in the presentation of controversial issues.

In two investigations, the ACMA found that disparaging comments made by Mr Jones about the Prime Minister and others in public office did not amount to a breach of the codes' prohibitions on:

- > inciting violence or brutality
- > inciting intense dislike, serious contempt or severe ridicule on the grounds of gender or disability.

In response to these breach findings and the separate breach findings in investigation 2540, 2GB commenced a review of its editorial and other processes.

Investigation 2751 — Today FM Sydney Pty Ltd (2Day) (Kyle and Jackie O Show, 22 November 2011)

During this broadcast, Kyle Sandilands referred to a female journalist using a number of abusive terms, following an unfavourable review of his debut TV show. The investigation took just over two months to complete and was finalised in March 2012.

The ACMA found that the conduct concerned was deeply offensive and amounted to a breach of the generally accepted standards of decency provision of the Commercial Radio Code of Practice 2011.

The ACMA found the comments did not breach the code's provisions on inciting serious contempt or severe ridicule on the grounds of gender or inciting violence or brutality. Although the comments conveyed hatred, serious contempt and severe ridicule on the grounds of gender, they were not considered likely to 'incite' those feelings in others.

Following careful consideration of the licensee's representations, the ACMA imposed an additional condition on the licence of 2Day for a period of five years, effective as of 16 May 2012.



Chairman Chris Chapman announcing the findings of the 2DayFM investigation at an ACMA press conference in March 2012.

The additional licence condition elevates the code provision on decency to a condition on 2Day's licence, and is applicable to all content broadcast by 2Day. The condition aims to prevent a further breach of the decency provision and guarantee that the licensee has relevant processes and frameworks in place, across the board. Elevating the code provision to a licence condition means that the consequences of a breach are also elevated.

The licensee has applied to the Administrative Appeals Tribunal for a review of the ACMA's decision.

Program classification

Enforceable undertakings

In 2010, the ACMA determined that WIN Television (the licensee of RTQ) and the Nine Network (the licensee of GTV) breached the Commercial Television Industry Code of Practice 2004 and the Commercial Television Industry Code of Practice 2010, respectively, by incorrectly classifying episodes of the program *Dante's Cove* as AV.

The ACMA subsequently accepted enforceable undertakings from WIN and Nine covering classification, training and reporting activities. To date, WIN and Nine have met their obligations under the enforceable undertakings. The reporting period ends in October 2012.

In 2009, the ACMA determined that Foxtel and Austar breached the ASTRA Subscription Television Codes of Practice 2007 by incorrectly classifying programs as MA15+.

The ACMA subsequently accepted enforceable undertakings from Foxtel and Austar covering classification, complaints-handling, training and reporting activities. During the reporting period, which ended in late 2011, Foxtel and Austar met their obligations under the enforceable undertakings.

In all cases, the enforceable undertakings appear to have successfully addressed the classification issues identified by the ACMA's investigations.

Community broadcasting enquiries

During the reporting period, the ACMA received 1,200 enquiries about community broadcasting matters including:

- > requirements for setting up a temporary or long-term community radio broadcasting service
- > the process for changing the transmission site or increasing the transmission power for a community broadcasting service

- > whether the ACMA is allocating community licences for the digital transmission of community radio or television services
- > the procedure for making a complaint that a community station is not complying with a licence condition or a code of practice.

Of these enquiries, 95 per cent (1,140) were actioned within a time frame of seven days.

Control

The ACMA's broader role in media ownership and control rules is discussed under *Ownership and control* on page 41. There were no formal investigations into compliance with the ownership and control limits in the BSA in 2011–12.

Category-of-service opinions

Section 21 of the BSA allows a person who is providing, or who proposes to provide, a broadcasting service to apply to the ACMA for an opinion as to which category of broadcasting service the service falls into. The ACMA did not give any category-of-service opinions during the reporting period.

Children's Television Standards

In 2011–12, the ACMA investigated the broadcast of three advertisements with respect to compliance with the Children's Television Standards 2009 (the CTS).

The ACMA's first investigation related to the broadcast of a 'station identifier' by five Seven Network licensees. The ACMA determined that the station identifier was also an advertisement for McDonald's.

The ACMA's investigation concluded that the five Seven Network licensees breached the CTS by broadcasting an advertisement:

- > during a preschool viewing period
- > during a children's viewing period that was not clearly distinguishable as an advertisement to a child viewer
- > during or immediately after children's viewing periods that promoted commercial products and services by McDonald's proprietary characters.

As a result of these findings, the ACMA issued a remedial direction to the Seven Network licensees. The remedial direction required the licensees to implement a process for reviewing all non-program material that will be broadcast during preschool programming periods and to conduct specific CTS training for appropriate employees.

The ACMA's other investigations concerning the broadcast of two advertisements concluded that the relevant licensees did not breach the CTS as alleged.

In addition, the ACMA conducted two investigations—initiated by the ACMA under section 170 of the BSA—concerning preschool children's programs.

The ACMA's first investigation found that Channel Seven Brisbane breached the CTS by failing to meet its preschool program quota in 2011. It broadcast 129.5 hours of preschool programs in 2011 (30 minutes short of the 130-hour quota) due to a scheduling error. The licensee also breached the CTS by not broadcasting a preschool program during a preschool program period, and by not broadcasting a preschool program on that weekday. The licensee agreed to broadcast an additional 30 minutes of preschool programs in 2012 to make up for the shortfall.

The ACMA's second investigation found that five Network Ten licensees breached the CTS by broadcasting the preschool program *Puzzle Play* four times in a period of five years. In response to this matter, the licensees broadcast additional preschool programming to ensure they met the relevant preschool program quotas, reviewed their IT systems and reminded relevant employees of their obligations under the CTS.

Anti-siphoning provisions

In the reporting period, the ACMA dealt with 65 complaints or enquiries about the availability of sports programs on free-to-air television. The majority of the complaints were about events not being broadcast live, in-full or at all (matters not currently within the ACMA's jurisdiction).

During the reporting period, the ACMA conducted one investigation into an alleged breach of the anti-siphoning provisions. The investigation examined Foxtel Cable Television Pty Ltd's (Foxtel) acquisition of the rights to televise matches of the 2012–16 AFL Premiership seasons. These events were included on a list specified by the minister under section 115 of the BSA when the broadcast rights were acquired by Foxtel. The ACMA concluded that Foxtel did not breach the anti-siphoning provisions in the BSA.

The ACMA found that Foxtel had not acquired the rights to the events prior to commercial television licensees having the rights to televise them. Accordingly, there was no breach of the anti-siphoning provisions.

Refer to the ACMA's regulatory role in Chapter 3 for further information about the operation of the anti-siphoning rules.

Complaints under Conditional Access Scheme for satellite access to digital television

The Viewer Access Satellite Television (VAST) service is a government initiative to provide people in remote areas and terrestrial digital television 'black spots' with access to a metropolitan-equivalent suite of digital television services. The ACMA has registered conditional access schemes that govern access to the VAST service. The schemes provide that viewers who cannot receive digital commercial television services terrestrially can access digital commercial television services on VAST. Viewers who were refused access to VAST services by the scheme administrator can, under certain conditions, complain to the ACMA. The ACMA has the power to direct the scheme administrator to enable VAST access for viewers who cannot access terrestrial digital television services.

The ACMA received 70 complaints between 1 July 2011 and 30 June 2012. In 2011–12, the ACMA finalised the investigation of 32 complaints and issued 32 directions to the scheme administrator to grant VAST access to the complainants. Of the remaining 38 complaints, 36 were withdrawn as the affected viewers gained access to either VAST or terrestrial television services before the investigation was finalised. At the end of the reporting period, two complaints were still under investigation.

See also *Viewer Access Satellite Television (VAST) service* on page 47.

Commercial radio standards

During the reporting period, the ACMA conducted one investigation under the Broadcasting Services (Commercial Radio Advertising) Standard 2000. This investigation found that Greater Cairns Radio Pty Ltd (the licensee of commercial radio station 4HOT) did not breach the Advertising Standard during the *Marty and Jess Breakfast Show* on 19 August 2011.

No investigations were conducted under the other commercial radio standards during the reporting period.

Online content complaints

The ACMA received 5,026 complaints about online content in the period 1 July 2011 to 30 June 2012, more than quadruple the number of complaints received in 2008–09. A single complaint may lead to the investigation of multiple items, with an 'item' referring to an individual article of content such as a web page, image or file. Since 1 January 2000, the ACMA has received over 21,000 complaints, investigated over 23,000 items of online content and taken action on more than 12,500 items of prohibited or potential prohibited content.

The ACMA dealt with 97 per cent of complaints about child abuse material within two business days, while 40 per cent of all other potentially illegal content was actioned within two days (the latter figure concerned 11 items of content only). Seventy-three per cent of all investigations about online content were completed within 20 days. Complaint numbers, technical complexity, law enforcement requests or applications to the Classification Board for formal classification of content all impacted on the time frames in which the ACMA conducted investigations.

Of the complaints received during the year, 329 were invalid as they did not contain information required by the BSA. During 2011–12, the ACMA observed a plateau in the number of items investigated, finalising investigations into 6,265 items of online content compared with 6,587 items in the previous year. This is a slight decrease of five per cent, following a significant increase of 72 per cent in 2010–11 compared with 2009–10.

The large number of complaints received by the ACMA is likely due to a range of factors including:

- > an increased number of Australian families who are online

- > greater awareness of the potential dangers of harmful content
- > increased awareness of how to report suspected prohibited content
- > greater community interest in online content regulation issues and the role of the ACMA in this area.

Of the investigations completed, 2,011 items of prohibited and potential prohibited content were identified (see Table 28). A total of 210 investigations were terminated because the ACMA was unable to obtain sufficient information on which to base a decision, usually because the content identified in the complaint could not be located. The ACMA also referred 469 items of content to the Classification Board for formal classification.

The introduction of Schedule 7 of the BSA in 2007–08 established new mechanisms for dealing with complaints about live content services and Australian-hosted links to prohibited content. During the current reporting period, final 'take-down' notices were issued for seven items of Australian-hosted prohibited content. No service-cessation notices were issued for live content services provided from Australia and no link-deletion notices were issued to link service providers with an 'Australian connection'. The Australian hosting service providers complied with all directions to 'take-down' prohibited content.

A total of 2,004 overseas-hosted prohibited or potential prohibited items of internet content investigated during the reporting period were referred to the makers of optional end user internet software filters under Schedule 5 of the BSA and the registered Internet Industry Association code of practice for dealing with such material.

Under the BSA, prohibited content is defined with reference to the classification categories set out in the National Classification Scheme. Approximately 64 per cent of items that were prohibited or potential prohibited were, or were likely to be, refused classification. Of items classified Refused Classification, or found likely to be classified Refused Classification, 87 per cent constituted an exploitative or offensive depiction or description of a child, or were otherwise concerned with paedophile activity.

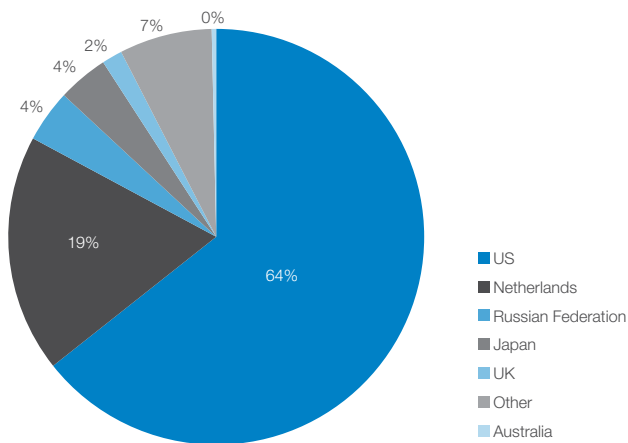
Table 28 shows the breakdown by content type of items actioned as a result of completed investigations in which prohibited or potential prohibited content was located.

Table 28: Prohibited/potential prohibited internet content 2011–12, items actioned

Actual or likely classification and description of online content	Online content hosted in or provided from Australia (take-down, service-cessation or link-deletion notice issued)	Internet content items hosted overseas (referred to makers of filters)	Total
MA 15+—Drug use	0	0	0
MA 15+—Language	0	0	0
MA 15+—Nudity	0	0	0
MA 15+—Sex	0	0	0
MA 15+—Themes	0	0	0
MA 15+—Violence	0	0	0
R 18+—Drug use	0	0	0
R 18+—Language	0	0	0
R 18+—Nudity	0	51	51
R 18+—Sex	1	86	87
R 18+—Themes	2	46	48
R 18+—Violence	0	4	4
X 18+—Actual sexual activity	0	527	527
RC—Bestiality—depiction	0	30	30
RC—Child—depiction	4	1,116	1,120
RC—Crime—promotion/instruction	0	7	7
RC—Crime—depiction	0	0	0
RC—Cruelty—depiction	0	0	0
RC—Drug use—promotion/instruction	0	0	0
RC—Offensive/abhorrent phenomena	0	6	6
RC—Paedophilia—promotion/instruction	0	1	1
RC—Sexual fantasy—depiction	0	9	9
RC—Sexual fetish—depiction	0	72	72
RC—Sexual violence—depiction	0	22	22
RC—Terrorist material	0	3	3
RC—Violence—depiction	0	24	24
RC—Violence—promotion/instruction	0	0	0
RC—Computer game	0	0	0
RC—Publication	0	0	0
Cat 1—Publication	0	0	0
Cat 2—Publication	0	0	0
Total	7	2,004	2,011

As shown in Figure 8, the US continued to account for the majority of prohibited online content provided from outside Australia.

Figure 8: Prohibited or potential prohibited internet content by host location, 2011–12



Case study

The ACMA fighting online child abuse material

During National Child Protection Week, from 4 to 11 September 2011, the ACMA conducted 89 investigations into online content containing child abuse material after being informed by members of the Australian public.

The ACMA investigated more than 1,700 offensive images of children aged from infants to adolescents, with the majority featuring pre-teenagers. Almost all sites were hosted offshore, principally in the US.

All child abuse material investigated was notified to law enforcement for appropriate action. Child abuse material hosted overseas is notified to the Australian Federal Police or the International Association of Internet Hotlines (INHOPE) network for appropriate action in the hosting country.

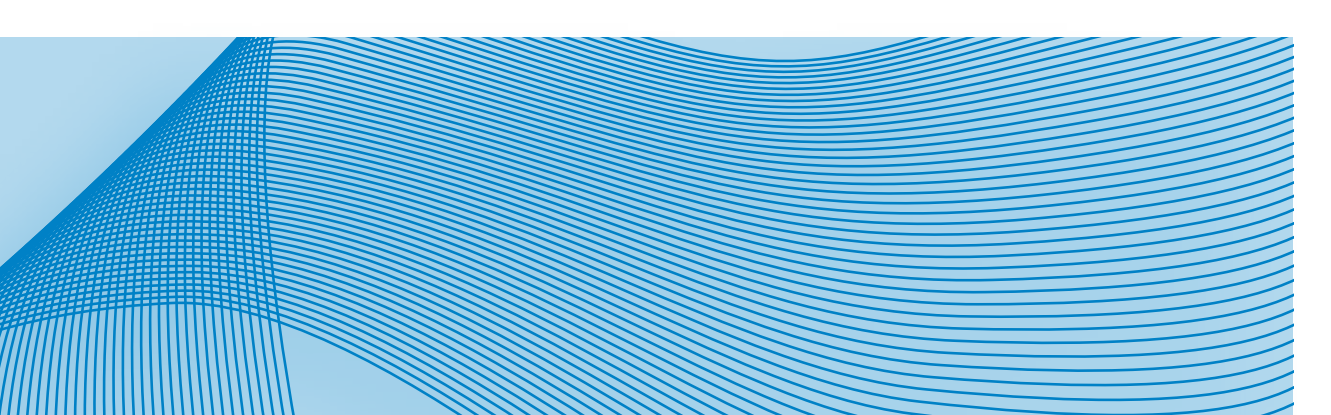
ACMA notification of child abuse material regularly leads to the take-down of offensive illegal content by ISPs, and criminal investigations by law enforcement agencies both in Australia and overseas where the content is hosted in an INHOPE member country.

The take-down of material prevents the re-victimisation of children by stopping the future online dissemination of the evidence of their abuse.

In a report commissioned by Britain's Internet Watch Foundation, *Online Child Sexual Abuse Content: The development of a comprehensive, transferable international internet notice and takedown system* (May 2011), Australia is described as the only country to have 'clear legal procedures' for taking down child sexual abuse content, as well as a 'more developed' regulatory regime for its removal.

It also notes that only Australia and the US have a mandatory obligation on ISPs to report child sexual abuse content hosted on their networks or face a heavy fine.

The report concludes: 'In the effort to eradicate online child sexual abuse content, international co-operation has been a crucial element as only whilst there is an established network of relationships in this field, takedown of child sexual abuse content across borders can be possible.'



Cooperation between the ACMA and the international community of internet hotlines to remove online child abuse material

As part of its role to regulate online content, the ACMA is a member of INHOPE, along with member hotlines from Europe, Asia and America. INHOPE members deal with complaints about illegal internet content, particularly child sexual abuse material, to ensure rapid and effective response to illegal content reports. Illegal activity on the internet is a multi-jurisdictional problem.

Often material reported to a hotline is hosted beyond the borders of its own country or perpetrators are located abroad, making international coordination between hotlines essential. Illegal online content hosted within a hotline's jurisdiction is referred to law enforcement agencies in that country, and to the internet service provider hosting the content, for removal.

In August 2011, the ACMA's Content Classification Section received referrals from the Internet Watch Foundation in the UK about a web page containing child sexual abuse imagery, which appeared to be hosted by an Australian company.

The ACMA responded swiftly by:

- > identifying through technical analysis that the content was being hosted by a service provider located in New South Wales
- > referring the matter to the NSW Police Force for investigation
- > referring the content to the Classification Board for formal classification who stated, the 'content warrants an "RC" classification in accordance with items 1(a) and 1(b) of the films table of the National Classification Code'.

Finding that the content was now prohibited, and receiving notification from the NSW Police that it could proceed with taking action, the ACMA issued a take-down notice to the internet content host. The content was removed by the host within hours of the ACMA issuing the notice.

Interactive gambling

The *Interactive Gambling Act 2001* (the IGA) makes it an offence to provide certain types of gambling services to Australians and to advertise such services in Australia. Under the IGA, the ACMA is responsible for investigating complaints about alleged prohibited internet gambling content and for registering industry codes of practice dealing with interactive gambling matters.

Part 3 of the IGA establishes a complaints system for prohibited internet gambling content. In 2011–12, the ACMA received 126 complaints and general enquiries under the IGA. Of the 37 investigations completed in the period, 20 resulted in the location of overseas-hosted prohibited internet gambling content. These services were referred to makers of family-friendly filter software in accordance with the code of practice registered under the IGA. Some services were also referred to the Australian Federal Police.

One complaint received in the period referred to potentially prohibited Australian-hosted internet gambling content, which the ACMA did not consider warranted a referral to the police for further investigation (see Table 29).¹⁰

National interest issues

Agencies involved in the national security of Australia, and law enforcement and emergency services have special operational requirements in their interaction with the services of the telecommunications industry.

Law enforcement liaison

The ACMA convened the Communications Security and Enforcement Roundtable (CSER) once during the reporting period. CSER operates as a clearing house for issues and is an open forum for its members to share information and progress regulatory and operational issues about law enforcement. When required, it also functions as a mechanism for assisting the ACMA with its responsibilities.

To complement the CSER, and for other discrete reasons, a separate and smaller strategic policy group (the Experts Group) has been established by the Attorney-General's Department and DBCDE. The ACMA is a member of the Experts Group.

Table 29: Summary of interactive gambling complaints and investigations—IGA

Written complaints and general enquiries received	126
Investigations commenced in 2011–12 (plus investigations commenced but not completed in previous year)	57
Investigations completed in 2011–12	37
Investigations of overseas-hosted sites resulting in breach findings	20
Investigations of overseas-hosted sites resulting in non-breach findings	13
Investigation terminated because of insufficient information	4
Invalid complaints	12
Investigations commenced but yet to be completed	8
Australian-hosted sites referred to the Australian Federal Police	0

10 Under section 20(3)(a) of the IGA, the ACMA may not investigate a complaint about Australian-hosted content. However, the ACMA may, if it considers it warranted, refer the complaint to an Australian police force.

Identity-checking requirements for prepaid mobile phone services

Under ministerial direction, the ACMA has made and administers a determination that requires CSPs to collect and verify identity information about the purchasers and end users of prepaid mobile services.

DBCDE has recently completed a review of the underlying arrangements for identity-checking for prepaid mobile services. The ACMA contributed to this review and is working with DBCDE to implement its outcomes.

Disclosure of customer information to law enforcement and national security agencies

Customer information provided by telecommunications carriers and CSPs to law enforcement and national security agencies is protected under Part 13 of the Telecommunications Act. Carriers and CSPs are prohibited from disclosing that information to other parties except in certain limited and restricted circumstances. Those circumstances generally relate to:

- > assisting in investigations by law enforcement or national security agencies, or the ACMA, ACCC or TIO
- > where there is an imminent threat to a person's life or health
- > satisfying the business needs of other carriers and CSPs.

The ACMA is required under clause 57(2)(f) of the ACMA Act to include in its annual report information on disclosures of customer information made during the reporting year. The number and type of disclosures made during 2011–12, as reported to the ACMA under section 308 of the Telecommunications Act, are provided at Appendix 10.

Disclosure of Integrated Public Number Database (IPND) data for telephone-based emergency warning systems

Part 13 of the Telecommunications Act allows information contained in the IPND to be disclosed for the testing and operation of telephone-based emergency warning systems by the states and territories.

The number of telephone numbers that were disclosed, a description of the emergency or likely emergency, the location and the number of persons to whom the information was disclosed under sections 295V(1) or 295V(2) of the Telecommunications Act are provided at Appendix 10.

Emergency call service

The emergency call service is a national operator-assisted service that connects emergency callers free-of-charge to state and territory emergency service organisations—police, fire and ambulance. The service is designated for emergencies that are life-threatening or time-critical.

The primary emergency call service number is Triple Zero (000), which can be accessed from any fixed-line or mobile phone. In addition, there are two secondary emergency call service numbers in operation—112, which can be accessed from GSM mobile phones, and 106 for text-based emergency calls from people who are deaf or have a hearing or speech impairment.

Telstra is the emergency call person (ECP) for the Triple Zero (000) and 112 emergency call service, while Australian Communication Exchange Ltd is the ECP for the 106 emergency call service.

The ACMA's regulatory role for the emergency call service arises under a broader policy, legal and institutional framework set by the government. That framework has the following elements:

- > Telstra is the designated ECP for 000 and 112.
- > Telstra takes calls via all CSPs and transfers them to relevant emergency service organisations (ESOs) in each state and territory.
- > When the ECP transfers the calls, it takes the location information stored in the IPND associated with the number (in the case of fixed-line services) or asks the person where they are (for nomadic services such as mobiles).
- > The ACMA places obligations on carriers, CSPs and the ECP to ensure that customers can access the emergency call service. The ACMA is also responsible for authorising access to the IPND.

The ACMA does not have responsibilities for the roles of the ESOs once a call has reached them. This is a matter for state and territory governments. The ACMA works cooperatively with the ECP and ESOs on addressing issues that are within its remit.

Overarching policy responsibility for the Commonwealth's emergency management response resides with the Attorney-General's Department, who handles matters such as emergency warning systems.

Emergency Call Service Advisory Committee

As part of its role in regulating and monitoring the emergency call service, the ACMA convenes the Emergency Call Service Advisory Committee (ECSAC). This is a formal advisory committee of the ACMA and is also a forum for representatives of the telecommunications industry, ECPs and ESOs to provide advice to the ACMA and discuss priority issues affecting the operation of the service. ECSAC met twice in 2011–12 and provided advice on a range of matters. ECSAC membership is listed in Appendix 2.

During the reporting period, the ACMA completed a review of ECSAC. It found that ECSAC is a valuable forum that has achieved tangible results on supply-side, operational and technical matters. The Authority approved some changes to its terms of reference to better focus the committee's work on providing advice to the ACMA on key issues and priorities for the operation of the emergency call service, while recognising a secondary clearing house role for issues that require the involvement of other stakeholders. Membership of the committee has also been broadened to include representatives from NBN Co, VoIP providers and ACCAN.

Reducing the volume of non-emergency calls

An ongoing issue has been to reduce the volume of calls to the ECP that are not related to an emergency. Of the 9.4 million calls made to the ECP during 2011–12, 5.8 million were connected through to an ESO.

Calls that are categorised as non-emergency may include instances of deliberate nuisance calls, calls for assistance that are not time-critical, calls to services that are not accessible through the emergency call service—such as state emergency services—and accidental misdials. Ongoing efforts are being made within ECSAC and with the relevant parties to implement a communications campaign in the near future. Promoting the purpose and appropriate use of Triple Zero (000) is one measure to reduce non-emergency calls.

The most effective measure of reducing non-emergency calls to date has been Telstra's introduction of a short recorded voice announcement for the Triple Zero (000) service. Since its introduction on 19 December 2008, the number of calls to Triple Zero (000) reaching the ECP has reduced by approximately 25 per cent, without any genuine calls being affected. Another measure the ACMA is continuing to monitor is the implementation of an industry-agreed escalated warning process. On average, 95 per cent of callers are deterred from further misuse after receiving a warning from the ECP. Experience is showing that the risk of account suspension and police referral is acting as a significant deterrent.

Triple Zero Kids' Challenge

During the reporting period, an ECSAC working group was active in developing initiatives aimed at improving awareness of Australia's emergency call service, particularly among children. The group commissioned work to enhance its online computer game, the Triple Zero Kids' Challenge, which aims to educate children aged between five and 10 about the emergency call service. Over 700,000 games have been played since it was launched in May 2010.

Industry code—Emergency Call Service Requirements

In November 2011, the ACMA registered the revised Industry Code—*C536:2011 Emergency Call Service Requirements*. In registering the code, the Authority noted that while the core requirements from the previous code largely remain, the new code introduces a number of important improvements that take account of technological change and other developments. The new code also includes new rules for managing communications during significant network outages and for maintaining an industry contact list that will be available to emergency service organisations on request.

Integrated Public Number Database

The Integrated Public Number Database (IPND) is a telecommunications industry-wide database of all listed and unlisted public numbers and their associated customer data. Law enforcement agencies and emergency services regularly access customer data from the IPND and it is critical that the data is accurate for these purposes. The input of high-quality data into the IPND is a priority for the ACMA. DBCDE commenced a review into the IPND in 2011–12 to which the ACMA has been contributing.

Investigation into CSP compliance with IPND requirements

During the reporting period, the ACMA completed a program of 25 investigations into whether CSPs are complying with their obligations to provide accurate customer data to the IPND. The ACMA requested a sample of records from the IPND Manager for the CSPs to ascertain whether the records contained in the IPND matched those held by the CSPs. The CSPs selected included both the large and small end of the market. While the majority of the CSPs investigated achieved a compliance level of 95 per cent or above, the ACMA had cause to formally warn one CSP in April 2012 for not complying with its regulatory obligations.

e-Security

The Australian Internet Security Initiative (AISI), developed and managed by the ACMA, is a program targeted at reducing the cybersecurity threat posed by ‘botnets’—networks of computers that have become compromised through the surreptitious installation of malicious software (malware). This malware enables the computer to be controlled remotely for illegal and harmful activities, including the dissemination of spam, hosting of ‘phishing’ sites and distributed denial of service attacks on internet infrastructure.

The AISI is an important component of the government’s Cyber Security Strategy and aims to enhance the protection of home users and small to medium enterprises from electronic attacks and fraud by reducing the number of infected computers on the Australian internet.

Under the AISI program, the ACMA provides information to AISI members—ISPs and universities—about ‘compromised’ computers residing on their networks. AISI members may then contact their customers to inform them that their computers are compromised and help them to restore correct operation.

During 2011–12, the ACMA:

- > Continued to diversify and expand the sources of data on compromised computers feeding into the AISI, with over 10 sources providing regular data into the AISI at the year’s end.
- > Introduced three major new malware categories into the AISI reports—DNSChanger, Flashback and Ramnit—and increased the number of discrete malware categories reported through the AISI, with 90 categories reported at 30 June 2012.
- > Provided intelligence to national and international law enforcement authorities and regulators on suspected botnet-related online criminal activity.
- > Increased the number of AISI participants from 107 at 30 June 2011 to 127 at 30 June 2012. It is estimated that the IP address ranges used by these AISI members account for 98 per cent of allocated Australian IP address ranges.
- > Continued to promote the Internet Industry Association’s ‘iCode’ to its AISI members. The iCode specifies a range of responses by ISPs to reports of compromised computers on their networks, including contacting affected customers to advise them of the compromise and undertaking related technical actions. The iCode, which came into effect on 1 December 2010, is complementary to the AISI as the AISI is the primary source of compromise data received by ISPs.
- > Interviewed a cross-section of AISI members to assess the effectiveness of the AISI program, the methods in which AISI data was used and how the program could be improved. There was strong support for the AISI from interviewees, with approximately two-thirds of those interviewed advising that the AISI was the only source of computer compromise data relating to their networks.

- > Worked closely with the international DNSChanger Working Group (DCWG), DBCDE and CERT Australia to help Australian internet users remove DNSChanger malware from their computers by 9 July 2012. Most users who have not removed this malware and restored correct Domain Name System (DNS) settings by this date will be unable to utilise internet services.
- > Created a website, dns-ok.gov.au, where internet users could test whether their computer was infected by DNSChanger. This website provides general information on this malware and, for those who are infected, tools and advice on how to remove it and restore correct DNS settings. The website was very popular with the Australian public, with 1.4 million hits and 337,000 unique visitors at the year's end, indicating a high level of public support for adopting a targeted approach to addressing particular malware threats.
- > Continued to develop and enhance its Spam Intelligence Database (SID) to support the ACMA's enforcement of the Spam Act and provide data to other stakeholders. During 2011–12, automated feeds from SID of 'phishing'-related data were established for the four major Australian banks—Australia and New Zealand Bank, Commonwealth Bank, National Australia Bank and Westpac—and their related entities. Phishing feeds were also established for ME Bank, Kiwibank, the Australian Taxation Office, Telstra Bigpond and Facebook.

During 2011–12, the average number of compromises reported to AISI participants per day was 16,517, broadly comparable to the average of 16,464 reported per day during 2010–11.

The high level of compromise reports per day made through the AISI underscores the need for internet users to be vigilant in maintaining the security of their computers and not engaging in practices—such as visiting 'suspect' websites—that cause their computers to become infected.

The ACMA's AISI program has generated considerable international interest, as has its efforts in developing SID in-house using open source software. The SID software is already being shared with other regulators and the ACMA expects this technical assistance and collaboration to expand during 2012–13.

International matters

The international communications and media environment continues to evolve at a rapid rate, with the key drivers being the move to next generation networks (NGNs) and the converging of communication services. During this reporting period, the ACMA has pursued a defined international engagement strategy to complement its overall strategic direction. Improving its ability to influence regulatory outcomes—as well as supporting the ACMA's aspirational objective to be, and be recognised as, the world's leading converged communications regulator—are objectives of the international engagement strategy. The ACMA engages internationally to:

- > meet its strategic objectives and legislative requirements where these require international activity, including the areas of online content, spam, e-security, cybersafety, radiocommunications and telecommunications
- > support Australia's domestic needs and whole-of-government objectives, including trade, international competitiveness and regulatory capacity
- > support external positioning objectives, which assist the ACMA to continue to be a credible source of advice to government and industry on international matters.

Major international engagement activities undertaken by the ACMA in the reporting period include:

- > representing Australia at the World Radiocommunication Conference 2012
- > establishing and maintaining strategic relationships with relevant international stakeholders through the development of formal memoranda of understanding, bilateral meetings and discussions at a senior management level
- > hosting delegations and visitors from relevant overseas stakeholders, both to share information about Australia's communications and media environment, and to learn about potential regulatory better practice
- > undertaking capacity-building, education and development activities for representatives of national regulatory agencies in the Asia-Pacific region.

Part of the ACMA's engagement strategy involves developing relationships with fellow regulators, together with strengthening bilateral relationships with regional authorities and standards development bodies.

The ACMA continues to have a strong involvement with the Asia-Pacific Telecommunity (APT)—a peak regional ICT body that coordinates the views of member countries on telecommunications and radiocommunications, and represents them more widely at an international level, particularly to the ITU.

Hosting delegations from overseas stakeholders

The ACMA hosts a number of overseas visits to Australia from representatives of other communications regulators, government and non-government organisations. These visits facilitate collaboration and information exchange on communications policy and regulation issues. During 2011–12, the ACMA hosted international visitors from countries including Singapore, China, Sweden and India. Topics discussed included spectrum management, broadcasting regulation and technical transition to digital television and the associated digital dividend restack.

International Training Program

In November 2011, the ACMA hosted the International Training Program (ITP) in partnership with the ITU. The ITP is part of the Australian Government's commitment to broaden and deepen its links with the international community—particularly in the Asia-Pacific region—and provides a collaborative learning opportunity for middle and senior managers from regulatory agencies in the region and beyond. The 2011 ITP was well regarded and attracted 42 participants from 19 countries.

As part of efforts to broaden the scope of the ITP, in November 2011 the ACMA hosted the inaugural Asia-Pacific Regulators' Roundtable in partnership with the ITU. The Regulators' Roundtable is an event for the heads of communications regulators from the Asia-Pacific to discuss common issues. This event attracted 15 senior executives, including the heads of nine regulators from the region.

In March 2012, the Telecommunications Regulatory Authority of India hosted the ITP and the Asia-Pacific Regulators' Roundtable. The ACMA was represented by Chris Cheah at both of these events. Mr Cheah presented on the ACMA's experiences with spectrum pricing and the digital dividend, and spectrum re-farming. Mr Cheah also presented the ACMA's observations on the impact of convergence on existing regulatory frameworks and underlying concepts.

The ACMA continues to support the ITP and Regulators' Roundtable. These events have increased Australia's regional influence and relationship-building, firmed our relationship with the ITU and established ongoing collaboration between the ACMA and regulatory and related agencies in the Asia-Pacific region.

Trans-Tasman Mutual Recognition Agreement

The ACMA met with the New Zealand Ministry of Economic Development in December 2011. This meeting was part of the ACMA's continuing activities to harmonise the standards and compliance arrangements for radiocommunications and electromagnetic compatibility (EMC) under the Trans-Tasman Mutual Recognition Agreement (TTMRA). The agreement, between the federal, state and territory governments and the New Zealand Government, aims to remove regulatory barriers to trade in certain goods and services between Australia and New Zealand.

INHOPE

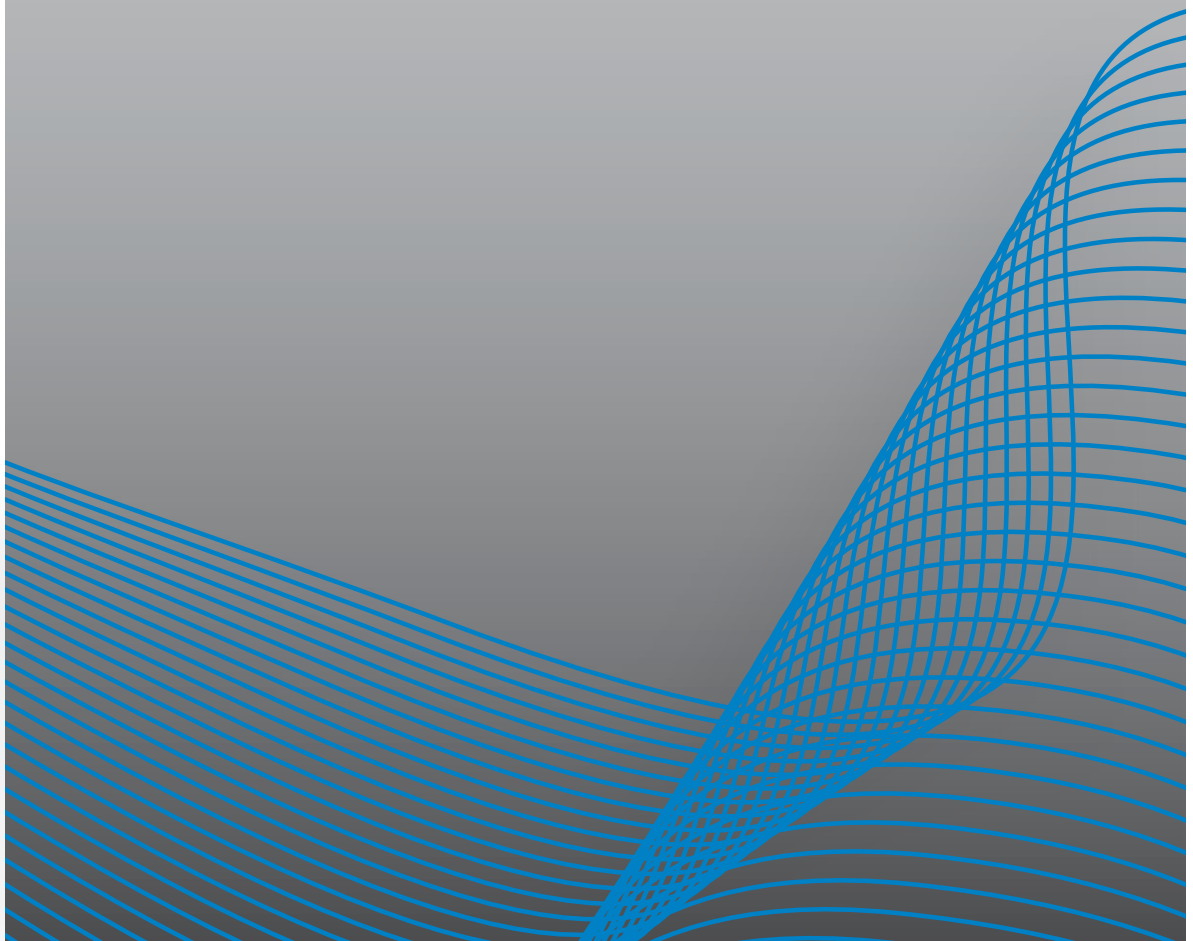
The ACMA is a member of the International Association of Internet Hotlines (INHOPE). INHOPE member hotlines deal with complaints about illegal internet content, mainly child abuse material. The association is partly funded by the European Commission under the hotline component of its Safer Internet Plus program.

The ACMA was represented at the INHOPE members' meetings held in Rome from 15 to 18 November 2011 and London from 24 to 26 April 2012. Members' meetings provide a valuable forum for exchanging information and expertise on investigation techniques, hotline promotion, staff welfare and other hotline management issues.

See also the case study *The ACMA fighting online child abuse material*, page 106.

Chapter 3

Content
regulation and
consumer
information



Chapter 3 reflects the ACMA's key result areas related to:

- > Outcome 1: A communications and media environment that balances the needs of the industry and the Australian community through regulation, education and advice
- > Program 1.2: Consumer safeguards, education and information.

The ACMA's responses to the performance information set out below for Program 1.2 can be found throughout the chapter.

Program 1.2: Consumer safeguards, education and information

Program 1.2 Key performance indicators

- > The community has access to sufficient information to enable it to make informed decisions about communications products and services.
- > Effective community safeguards are implemented and maintained.
- > Research is undertaken, and stakeholders engaged, to maximise the extent to which information, standards and safeguards address the broad concerns of the community.

Program 1.2 Deliverables

- > Information programs delivered in order to raise awareness of rights, obligations and safety issues.
- > Reports on industry compliance with statutory consumer safeguards made available within required timeframes.
- > Develop educational and research initiatives to underpin Cybersafety program.
- > Undertake consultation at regular intervals to receive information and advice on matters affecting consumers of communications services.
- > In cooperation with industry, undertake reviews of communications standards, codes and determinations within appropriate timeframes.
- > Raise awareness of Australia's spam legislation among consumers, businesses and the e-marketing industry through education programs and publications.

The ACMA's regulatory role

The ACMA's role includes informing the community about communications matters and delivering effective consumer protection. To this end, the ACMA provides information to facilitate informed decisions about communications products and services. Industry-developed codes of practice set out the requirements to meet service and information provision obligations.

Australian content

The ACMA monitors commercial television broadcasting licensees' compliance with the Broadcasting Services (Australian Content) Standard 2005 (Australian Content Standard) using its Australian content database. This database contains information provided by the three commercial television networks—Seven, Nine and Ten—under a self-reporting system about the programs broadcast by their metropolitan services. The ACMA also collects compliance information from regional commercial television licensees, including network affiliates and independent broadcasters.

The Australian Content Standard requires all commercial television licensees to broadcast an annual minimum transmission quota of at least 55 per cent Australian programming between 6.00 am and midnight, including first-release and repeat programs. In addition, there are specific minimum annual sub-quotas for first-release Australian drama, documentary and children's programs, as well as sub-quota requirements for repeat children's programs and Australian preschool programs.

The annual quota requirements for first-release Australian programs are:

- > drama—250 points, with 860 points for the three-year period 2011–13. The point system is calculated on the program duration x format factor, which reflects the relative costs and risks associated with the production of particular drama genres
- > documentary—20 hours
- > children's (C) programs—130 hours, including 25 hours of C-drama programs each year and 96 hours of C-drama programs for the three-year period 2009–11.

In 2011, the amount of Australian programming broadcast between 6.00 am and midnight reported by the metropolitan networks averaged more than 55 per cent:

- > the Seven licensees averaged 66.88 per cent (69.09 per cent in 2010)
- > the Nine licensees averaged 66.22 per cent (64.79 per cent in 2010)
- > the Ten licensees averaged 62.21 per cent (61.03 per cent in 2010).

All metropolitan commercial television broadcasting licensees reported meeting the Australian content requirements in 2011. Compliance results for regional commercial television broadcasting licensees for 2011 were not available at the time of publication.

Australian content in advertising

Television Program Standard 23 – Australian Content in Advertising (the Australian Content in Advertising Standard) requires that at least 80 per cent of advertising broadcast each year by commercial television broadcasting licensees between 6.00 am and midnight comprises Australian-produced advertisements.

The three commercial television networks report to the ACMA annually on the amount of Australian advertising they broadcast. In addition, the Commercials Advice Pty Ltd (CAD), wholly owned by Free TV Australia, provides the ACMA with the numbers of advertisements it has classified as Australian or foreign. While the Australian Content in Advertising Standard regulates advertisements actually broadcast, the ACMA uses the CAD information to monitor trends in Australian and foreign content in advertising.

In 2011, the amount of Australian advertising broadcast reported by the metropolitan networks averaged significantly more than 80 per cent:

- > the Seven licensees averaged 86.48 per cent (87.28 per cent in 2010)
- > the Nine licensees averaged 90.17 per cent (90.83 per cent in 2010)
- > the Ten licensees averaged 84.73 per cent (85.16 per cent in 2010).

Australian music code

Code 4 of the Commercial Radio Codes of Practice sets quotas for the broadcast of Australian music by commercial radio licensees, for analog and digital-simulcast services.

The Australian Music Performance Committee (AMPCOM) monitors commercial radio stations' compliance with their obligation under Code 4 and publishes the information towards the end of the calendar year. As a result, only 2010–11 information is available for this annual report.

For the period 2010–11, AMPCOM produced and published an annual report on the performance of Commercial Radio Australia members in relation to Code 4. AMPCOM's annual report is available on its website at www.aria.com.au/pages/ampcom.htm.

Children's television

Compliance with the Children's Television Standards 2009 (CTS) is a licence condition for all commercial television broadcasting licensees. The CTS require these licensees to broadcast a combined total of at least 390 hours of children's (C) and preschool (P) programs each year, with a minimum of 260 hours of C-classified and 130 hours of P-classified programs annually. These are the C and P quotas. The Broadcasting Services (Australian Content) Standard 2005 requires that 50 per cent of the C-quota must be first-release Australian programs and that all P-programs are Australian programs.

For programs to count towards these quotas, they must meet certain provisions outlined in the CTS, including the requirements for the programs to be classified by the ACMA before being broadcast and to be shown within specified time periods. The ACMA monitors compliance with the CTS through its Australian content database and the self-reporting notification regime under which commercial television broadcasting licensees currently report to the ACMA.

In 2011, the amount of first-release Australian children's drama broadcast reported by the metropolitan networks averaged more than the 25-hour quota:

- > the Seven licensees averaged 33 hours (33 hours in 2010)
- > the Nine licensees averaged 33.50 hours (32 hours in 2010)
- > the Ten licensees averaged 39.50 hours (30 hours in 2010).

All metropolitan licensees reported meeting the minimum quota requirements for children's programming in 2011, with one exception. Channel Seven Brisbane reported broadcasting 129.5 hours of preschool programs, 30 minutes short of the 130-hour preschool program quota. The ACMA's investigation of this matter is discussed on page 102.

The 2011 CTS compliance results for regional commercial television broadcasting licensees were not available at the time of publication.

Children's and preschool programs

During 2011–12, the ACMA assessed 30 children's and preschool programs or series of programs, granting classification to 28 of them. This compares with 36 programs assessed and 35 granted classification in 2010–11 (see Table 30).

Of these program classifications, 100 per cent were completed within 60 days of the ACMA receiving a completed application.

At 30 June 2012, there were five applications for C or P classification awaiting finalisation.

A list of children's television consultants and programs granted C or P classification is in Appendix 5.

Tuning in to kids TV forum

On 28 March 2012, the ACMA held the *Tuning in to kids TV* forum, the second event in its *Citizen conversations* series.

The forum considered how television can continue to stay relevant and meet the needs of a contemporary child audience. It explored a range of key issues in delivering quality television programming for children.

Topics included the contemporary child audience, the specific viewing needs of the five- to 11-year-old demographic, non-drama programming, and the depiction of violence in animation and live-action drama.

Key themes that emerged from the forum were the increasing trend for children to access content across multiple platforms and co-viewing with their parents.



Children’s author Wendy Harmer leading a lively discussion at the ACMA’s *Tuning in to kids TV* forum in March 2012.

Declaration of primary services

From 1 January 2009, commercial television broadcasting licensees have been authorised to provide up to three so-called ‘multi-channelled’ television services in digital mode under each commercial television broadcasting licence during the simulcast period for a licence area. The three services are two ‘standard definition’ television (SDTV) multi-channelled services (including the mandatory digital simulcast of a pre-existing analog television service) and one ‘high definition’ television (HDTV) multi-channelled service.

In practice, a number of obligations apply to an analog service and its digital simulcast that do not apply to the other multi-channelled services. These include the provisions in the Commercial Television Industry Code of Practice and television program standards. Conversely, some obligations, such as the anti-siphoning provisions, apply to the multi-channelled services but not to the analog service and its digital simulcast.

Where there is no digital simulcast of an analog commercial television broadcasting service—for example, after the end of the simulcast period for a licence area or for commercial television broadcasting services that only deliver a service in digital mode—the ACMA is authorised to declare that one of the SDTV multi-channelled services is a ‘primary commercial television broadcasting service’ (primary service), to which regulatory obligations will apply. The ACMA is also authorised to declare up to three of the SDTV multi-channelled services to be primary services for licences allocated under section 38C of the BSA. These licences are used to provide satellite-delivered services as part of the VAST services.

The primary service declarations made by the ACMA in 2011–12 are shown in tables 31 to 33.

Table 30: Children’s and preschool program classification

	2010–11		2011–12	
	Applications granted classification	Applications refused classification*	Applications granted classification	Applications refused classification*
Children’s programs	10	0	6	0
Children’s programs—drama	12	0	6	1
Provisional—children’s	4	0	10	0
Provisional—preschool	1	0	0	0
Preschool programs	8	1	6	1
Total	35	1	28	2

*These programs failed to satisfy the criteria in the CTS.

High definition broadcasting

Part 4 of Schedule 4 of the BSA provides for broadcasters to meet HDTV quota standards. Each commercial or national television broadcasting service in a mainland metropolitan area is required to transmit a quota of 1,040 hours of HDTV programming per calendar year. The HDTV obligations also apply to a number of broadcasters in non-remote areas. The ABC and SBS are permitted to 'up-convert' their analog or SDTV programs to HDTV.

Broadcasters required to meet the HDTV quota must report compliance information to the ACMA twice a year. Interim reports must be given for the first six months of the calendar year, followed by consolidated reports for the full 12 months. Records must be kept for 18 months after the transmission was first reported to the ACMA.

In 2011, the commercial and national television broadcasters required to transmit the HDTV quota complied. The compliance results of national and commercial television broadcasters in the mainland metropolitan areas are given in Table 34.

Table 31: Primary commercial television broadcasting services after the end of a simulcast period

Licence area	Service licence number	Primary commercial television broadcasting service
Griffith and Murrumbidgee Irrigation Area (MIA) TV1	SL10104	WIN
Griffith and Murrumbidgee Irrigation Area (MIA) TV1	SL10103	7
Griffith and Murrumbidgee Irrigation Area (MIA) TV1	SL1130146	TEN
Southern NSW TV1	SL85	Southern Cross TEN
Southern NSW TV1	SL90	PRIME7
Southern NSW TV1	SL99	WIN

Table 32: Primary commercial television broadcasting services for digital-only licences during the simulcast period

Licence area	Service licence number	Primary commercial television broadcasting service
Griffith and Murrumbidgee Irrigation Area (MIA) TV1	SL1130146	TEN

Table 33: Primary commercial television broadcasting services for section 38C licences after the start date

Licence area	Service licence number	Primary commercial television broadcasting service
Western Australia TV3	SL1130166	GWN7 WIN TEN

Table 34: HDTV quota, 2011

Broadcaster	HDTV hours (range hhhh:mm)
ABC	8386:00
SBS	8760:00
Seven Network	1334:17 to 1350:00
Nine Network	All reported 3011:46
Ten Network	4095:30 to 4175:15

**Subscription television
drama expenditure**

The new eligible drama expenditure scheme requires licensees and channel providers that provide subscription television drama services to spend at least 10 per cent of their annual total program expenditure on eligible drama programs. If the 10 per cent expenditure requirement is not met in the current financial year, the shortfall amount must be made up the following year.

To be eligible, a drama program must be an Australian or New Zealand production or co-production, and must not have been televised in Australia or New Zealand on a broadcasting service at any time before the expenditure on the program is incurred. While the scheme imposes a spending obligation on licensees and channel providers for Australian and New Zealand programs, there is no broadcasting requirement.

The BSA defines a subscription television drama service as a service devoted predominantly to drama programs; that is, more than 50 per cent of the programming consists of drama programs.

Each year, scheme participants are required to provide annual returns by 29 August. As a result, only 2010–11 information is available for this annual report.

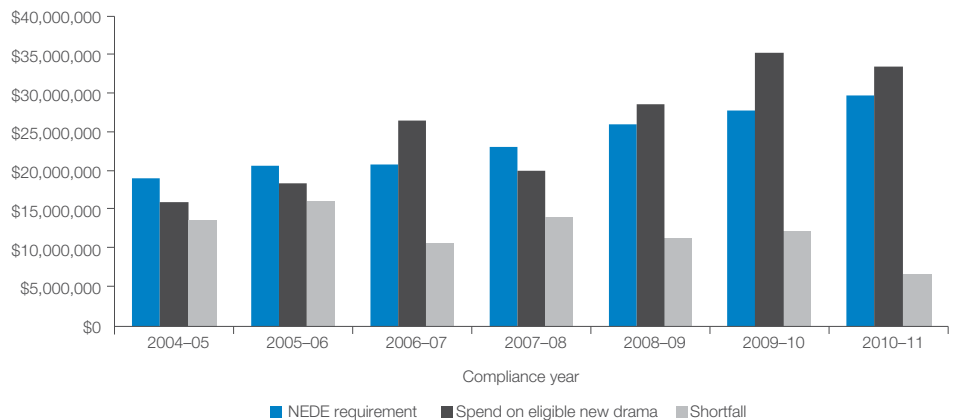
In 2010–11, there were 28 subscription television drama channels for which reports on the scheme were received. Annual returns were provided by six licensees and seven channel providers. All participating licensees and channel providers complied with the rules of the scheme.

Based on total spending on all programs, an expenditure obligation of \$29.69 million on new eligible drama programs was established for subscription television drama channel providers and licensees in 2010–11. This figure is represented as the 'NEDE requirement' in Figure 9. The scheme requires that this expenditure obligation be acquitted either in the present reporting year or the following year only.

During the reporting period, a total of \$33.5 million was spent on new Australian and New Zealand drama productions or co-productions (indicated by the 'Spend on eligible new drama' category of Figure 9). Of that expenditure, \$12.2 million was nominated to acquit the expenditure shortfall from 2009–10 and \$22.84 million was nominated towards meeting the 10 per cent minimum expenditure requirement for 2010–11.

Licensees and channel providers must spend a minimum of \$6.7 million in 2011–12 to acquit the remaining 2010–11 obligation (indicated by the 'Shortfall' category in Figure 9).

Figure 9: NEDE simplified results



Anti-siphoning provisions

The anti-siphoning provisions, contained in section 115 of the BSA, empower the minister to specify events that should be available on free-to-air television (ABC, SBS, and the Seven, Nine and Ten networks and affiliates) for viewing by the general public. The aim of the anti-siphoning provisions is to prevent listed events from being 'siphoned off' by subscription television to the detriment of free-to-air television viewers. Events the minister believes should be available free to the general public on free-to-air television are specified in what is known as the anti-siphoning list.

The current list includes 34 sporting events across 12 sport categories including the Olympic and Commonwealth games, horse racing, football, cricket, netball, tennis, golf and motor sports.

The anti-siphoning scheme operates via a licence condition on subscription television broadcasters that prevents them from acquiring the rights to televise anti-siphoning events before free-to-air television broadcasters have acquired the rights. However, events are automatically de-listed 12 weeks before they commence.

The anti-siphoning scheme does not require free-to-air broadcasters to acquire the rights to anti-siphoning events, broadcast listed events or prevent those broadcasters from on-selling some or all of the rights they have acquired to subscription television broadcasters. Nor does the anti-siphoning scheme prevent parties other than subscription television broadcasters from acquiring the rights to televise events on the anti-siphoning list before the free-to-air broadcasters.

Review of commercial radio standards

In November 2011, the ACMA concluded its comprehensive review of the three commercial radio standards that were determined by the former Australian Broadcasting Authority under section 125(1) of the BSA following the Commercial Radio ('Cash for Comment') Inquiry in 1999–2000.

The three standards reviewed were:

- > the Broadcasting Services (Commercial Radio Current Affairs Disclosure) Standard 2000 (the Disclosure Standard)
- > the Broadcasting Services (Commercial Radio Advertising) Standard 2000 (the Advertising Standard)
- > the Broadcasting Services (Commercial Radio Compliance Program) Standard 2000 (the Compliance Program Standard).

As a result of the review the ACMA decided to:

- > Continue to regulate advertising on commercial radio through a program standard with new elements that more effectively promote community standards and provide more stable and predictable regulation—until such time as the commercial radio industry has in place an appropriate code of practice dealing with advertising.
- > Continue to regulate commercial influence on commercial radio through a program standard based on a disclosure model, with new elements to more effectively promote community standards and provide adequate community safeguards as well as reduce the financial and administrative burdens on licensees.
- > No longer regulate compliance with regulatory obligations through a program standard, but rely on existing provisions of the BSA to deal with breaches on an individual licensee basis to reduce the regulatory, financial and administrative burdens on licensees.

The ACMA's final report was released in November 2011 and is available on its website.

In March 2012, the ACMA determined the two new standards to start on 1 May 2012:

- > the Broadcasting Services (Commercial Radio Current Affairs Disclosure) Standard 2012
- > the Broadcasting Services (Commercial Radio Advertising) Standard 2012.

Before making the final standards, the ACMA released draft instruments for comment.

Community broadcasting reviews

During the reporting period, the ACMA:

- > amended the Temporary Community Broadcasting Licence Guidelines, which provide detailed information about temporary licences and the allocation process
- > commenced consultation on the review of the Community Radio Broadcasting Codes of Practice 2008 with the Community Broadcasting Association of Australia.

Quality of captioning

The BSA requires commercial and national broadcasters to provide a captioning service during certain hours and programs.

The ACMA established a captioning working committee comprising key stakeholders from industry, the consumer sector and government. The committee has met five times since September 2010 to develop indicators for the assessment of caption quality that are meaningful and deliverable. As a result, a guidance document detailing a set of quality considerations has been developed and used by the ACMA when considering captioning complaints since September 2011. The role of the committee is consistent with a recommendation in DBCDE's *Media Access Review Final Report* for the ACMA to work with stakeholders to develop quality captioning guidelines.

The government amended the captioning obligations in the BSA on 28 June 2012. The amendments enable the ACMA to develop captioning quality standards. Other key changes include new captioning targets for commercial and national television broadcasters and extending captioning obligations to subscription television.

Consumer safeguards

The ACMA monitors and reports on the service performance and compliance of telecommunications companies, including against consumer safeguards that establish minimum performance standards and information obligations.

Reconnecting the Customer public inquiry

The ACMA concluded its public inquiry into telecommunications customer service and complaints-handling—*Reconnecting the Customer*—in September 2011.

At the conclusion of the public inquiry, the ACMA gave notice to industry body Communications Alliance under section 125 of the Telecommunications Act, requesting that it address identified deficiencies in the Telecommunications Consumer Protections (TCP) Code.

The notice indicated that deficiencies in the TCP Code would be addressed if the code required participants in the telecommunications industry to:

- > cease using terms known to confuse and mislead consumers, such as 'cap' where the consumer may incur further charges above the monthly cap amount
- > substantiate any representations made in advertisements or other promotions about broadband speed, network coverage and other performance characteristics
- > provide consumers with a reasonable basis for comparing products, by including standard pricing information in advertisements and an estimate of the number of two-minute calls within a plan
- > disclose a consumer's usage on bills in a manner that enables them to compare their usage in different billing periods
- > provide a disclosure document to consumers called the 'Critical Information Summary' that contains information about the key features of a product or service

- > develop expenditure management and usage tools to enable consumers to monitor their expenditure and/or usage during a billing period through notifications at specified levels
- > have complaints-handling processes that meet benchmark standards set out in the final report and adopt the definition of 'complaint' set out in the Australian Standard ASO10002-2006.

CA submitted a revised TCP Code to the ACMA for registration under section 117 of the Telecommunications Act on 30 May 2012. The revised TCP Code will take effect in the second half of 2012.

Consumer-related telecommunications code funding

Telecommunications industry bodies and associations can apply to the ACMA for reimbursement of the refundable costs they incur in developing consumer-related telecommunications industry codes. The reimbursement scheme is set out in Division 6A of Part 6 of the Telecommunications Act.

Once a code has been developed and submitted to the ACMA for registration, the industry body can then apply to the ACMA for the reimbursement of costs. The ACMA received two applications for code reimbursement in 2011–12 from CA. Reimbursement is the second stage in the reimbursement process, with the first stage, declarations of eligibility, being made in 2010–11 for the MPS Code and the TCP Code.

The MPS Code and the TCP Code were submitted to the ACMA for registration on 23 January 2012 and 30 May 2012 respectively. CA subsequently lodged claims for \$210,405 for the MPS Code. Following an assessment against the criteria in subsection 136C(1) of the Telecommunications Act, the ACMA reimbursed these costs. The ACMA is currently considering an application for reimbursement of \$320,949.05 for the costs of developing the TCP Code.

Implementation of consumer safeguard reforms

In 2011–12, the ACMA continued to provide advice to government on a package of reforms to telecommunications consumer safeguards enabled by the *Telecommunications Legislation Amendment (Competition and Consumer Safeguards) Act 2010* and a number of ministerial instruments:

- > Telecommunications (Customer Service Guarantee—Retail Performance Benchmarks) Instrument (No. 1) 2011, which commenced on 1 October 2011
- > Telecommunications (Customer Service Guarantee—Retail Performance Benchmarks) Instrument (No. 1) (Amendment No. 1 of 2012), commencing on 1 July 2012
- > five instruments relating to location, removal and repair performance for public payphones, which commenced on 1 January 2012 (see *Payphone performance* on page 125).

The ACMA provided advice on the basis of its experience in monitoring and enforcing existing regulatory arrangements for the fulfilment of the universal service obligation (USO) (including payphones), the Customer Service Guarantee (CSG) Standard and priority assistance.

The reforms aim to strengthen existing consumer safeguards and include:

- > enforceable industry performance standards and benchmarks for payphones provided under the USO and the CSG
- > new requirements for information that telephone companies must provide about the availability of priority assistance
- > implementation of enhanced safeguards for payphones in relation to performance, location criteria and consultation on removal
- > expansion of the ACMA's powers to make record-keeping rules in order to monitor compliance with performance benchmarks
- > expansion of the ACMA's powers to issue infringement notices that carry a stipulated monetary penalty to enforce compliance.

Under the new arrangements, the ACMA is responsible for assessing industry performance against the benchmarks and taking appropriate action to enforce compliance, where required. In the reporting period, the ACMA implemented the infringement notice scheme and developed ACMA record-keeping rules for payphones and CSG performance benchmarks. The Telecommunications (Customer Service Guarantee) Record-Keeping Rules 2011 commenced on 1 October 2011 and were amended on 27 June 2012 to reflect changes made by the minister to the retail customer service guarantee benchmarks instrument. The Telecommunications (Payphone Performance Benchmarks) Record-Keeping Rules 2012 commenced on 1 February 2012.

A key element of the infringement notice scheme came into effect with the ACMA making the Telecommunications (Listed Infringement Notice Provisions) Declaration 2011, which commenced on 16 November 2011 and lists:

- > payphone performance benchmarks
- > payphone location criteria and related public consultation and complaints-handling rules for payphone removals
- > CSG Standard retail performance benchmarks
- > eligible revenue return requirements
- > compliance with the TIO scheme
- > compliance with the Numbering Plan, record-keeping rules and information provision requirements
- > mobile premium services rules.

In addition, the ACMA provided advice for the Telecommunications (Infringement Notice Penalties) Determination 2012 subsequently made by the minister and which commenced on 10 February 2012. It sets out infringement notice penalty amounts for breaches of specified obligations:

- > introducing a graduated scale of penalties for CSG and USO (payphones) performance benchmarks ranging between \$330,000 and \$990,000
- > setting penalties, ranging between \$22,000 and \$99,000, for the breach of location and removal of payphones obligations

- > setting penalties, of \$22,000 and \$33,000, for certain breaches of recent mobile premium services determinations.

The ACMA also made amendments to the waiver provisions contained in the CSG Standard. These amendments commenced on 1 October 2011 and are intended to:

- > ensure consistency with recent legislative changes to the CSG provisions
- > simplify existing waiver provisions
- > promote industry best practice for obtaining informed customer consent when waiving CSG rights and protections.

Telecommunications Industry Ombudsman (TIO)

Carriers and eligible CSPs have an obligation under the TCPSS Act to join the TIO scheme. The TIO scheme provides an alternative dispute resolution service for small business and residential customers with unresolved complaints about their telephone or internet services.

The TIO may investigate, make determinations and give directions relating to complaints about carriage services by end users of those services. The TIO has authority to make binding decisions up to the value of \$30,000 and recommendations up to the value of \$85,000.

TIO scheme membership

Section 128 of the TCPSS Act requires that all CSPs (including internet service providers) that provide services to residential and small business customers must join the TIO scheme.

From July 2011 to June 2012, the TIO referred 10 companies that had not joined the TIO scheme to the ACMA. Three of these matters have been resolved by companies joining the TIO scheme.

The remaining seven referrals remain the subject of ACMA investigations.

Non-compliance with the TIO scheme

In November 2011, the ACMA commenced proceedings in the Federal Court against a Canberra-based ISP, Bytecard Pty Ltd. The proceedings allege failure to comply with five remedial directions issued by the ACMA.

The directions related to Bytecard's non-compliance with five determinations made by the TIO. Each determination requires Bytecard to either refund money to, or waive the debts of, a customer.

The Federal Court proceedings are continuing.

In February 2012, the ACMA received a referral from the TIO about a high number of complaints to the TIO on unauthorised bank transactions. The complaints relate to a fraudulent party porting a mobile telephone number to another provider to circumvent part of the bank's online security measures for making transfers to third parties. Investigation into these complaints is continuing at the end of the reporting period.

In March 2012, the ACMA received a referral from the TIO about the systemic direct debiting practices of a CSP contravening the TCP Code. The ACMA's investigation into these practices is continuing.

Exemptions from the TIO scheme

Section 129 of the TCPSS Act allows the ACMA to declare a carrier or eligible CSP exempt from the TIO scheme.

In 2011–12, the ACMA did not grant any exemptions from the obligation to join the TIO scheme. It reviewed seven companies that have previously been granted an exemption and found that all seven still satisfied the criteria for exemption.

Universal service obligation (USO)

Part 2 of the TCPSS Act establishes a universal service regime administered by the ACMA, which includes the USO.

The USO is the obligation placed on universal service providers to make sure that standard telephone services, payphones and prescribed carriage services are reasonably accessible to all people in Australia on an equitable basis, wherever they reside or carry on business.

Telstra continues to be the only universal service provider and is responsible for all areas in Australia. The ACMA monitors Telstra's performance in fulfilling these obligations and reports on these matters in its annual communications report.

For information about USO funding and eligible revenue assessment, see page 73.

Payphone performance

As the universal service provider, Telstra must provide payphones that are reasonably accessible on an equitable basis to all people in Australia. This obligation covers the supply, installation and maintenance of payphones. Telstra outlines how it will fulfil this obligation in its Standard Marketing Plan (SMP).

In 2011–12, the minister made the following legislative instruments relating to payphones (payphone instruments), which commenced on 1 January 2012:

- > Telecommunications Universal Service Obligation (Payphone Performance Standards) Determination (No. 1) 2011
- > Telecommunications Universal Service Obligation (Payphone Performance Benchmarks) Instrument (No. 1) 2011 (Payphone Performance Benchmarks Instrument)
- > Telecommunications Universal Service Obligation (Location of Payphones) Determination 2011 (Location of Payphones Determination)
- > Telecommunications Universal Service Obligation (Public Consultation on the Location or Removal of Payphones) Determination 2011
- > Telecommunications Universal Service Obligation (Payphone Complaint Rules) Determination 2011 (Payphone Complaint Rules Determination).

Together, they form a package to clarify and strengthen payphone obligations and the powers of the ACMA. The payphone instruments prevail over an approved SMP if there is any inconsistency.

The Payphone Performance Benchmarks Instrument is supported by record-keeping rules made by the ACMA, which commenced on 1 February 2012. The ACMA monitors payphone performance against the payphone instruments and Telstra's SMP, and periodically publishes relevant data on its website.

In 2011–12, the ACMA exercised its power under the Location of Payphones Determination to make the Payphone (Assessment of Net Social Benefit) Guidelines, which commenced on 7 February 2012. Consequently, if Telstra considers that maintaining the last remaining payphone at a site would not deliver a net social benefit to the local community (one of four criteria that may apply), it must have regard to the guidelines. The guidelines outline a number of matters relevant to assessing the net social benefit.

Under the Payphone Complaint Rules Determination and previous agreed informal processes, the ACMA has a complaints-handling role concerning Telstra’s removal or relocation of payphones. The ACMA’s role is as an office-of-last-resort; that is, where the matter has not been resolved directly with Telstra to the complainant’s satisfaction.

In 2011–12, the ACMA did not receive any payphone removal complaints and only received one payphone relocation complaint. The relocation complaint concerned a request from a member of the public to relocate a payphone from its current location. Review by the ACMA resulted in a finding that Telstra had complied with its SMP by maintaining the payphone in its current location.

Customer Service Guarantee

The ACMA monitors the performance of CSPs against time frames specified in the Telecommunications (Customer Service Guarantee) Standard 2011 (the CSG Standard), supported by record-keeping rules made by the ACMA. These record-keeping rules were made in response to the Telecommunication (Customer Service Guarantee – Retail Performance Benchmarks) Instrument (No. 1) 2011 (CSG Benchmarks Instrument) made by the minister. The CSG Benchmarks Instrument formalises performance levels, while the CSG record-keeping rules formalise previously informal record-keeping and reporting arrangements. Performance information is published on the ACMA website as well as in other reports such as the ACMA’s annual *Telecommunications (fixed-line) performance bulletin*.

During 2011–12, four reports covering the December 2010 and March, June and September 2011 quarters were published. The *Telecommunications (fixed-line) performance bulletin* for 2010–11 was published in December 2011.

Due to revised reporting arrangements under the record-keeping rules, data for the December 2011, March 2012 and June 2012 quarters has not been reported in this reporting period. It is anticipated this data will be published early in the next reporting period.

The ACMA also receives notification of exemptions claimed by CSPs for mass service disruptions and monitors this information to determine that the requirements for claiming exemptions have been met. Table 35 sets out the number of mass service disruption notices (not including extensions) received by the ACMA from carriers/CSPs for the reporting period.

Table 35: Mass service disruption notices, by carrier/CSP

Carrier	No. of notices
Telstra	59
Optus	59
iiNet	48
Eftel group	5
Primus	4
TransACT	3
Total	178

Network Reliability Framework

The Network Reliability Framework (NRF) is a three-tiered compliance and reporting framework that aims to improve the reliability of Telstra's fixed-line telephone services for customers who have five lines or fewer. The NRF complements other consumer safeguards such as the USO and the CSG Standard discussed above. It provides information on the general reliability of the Telstra network and also addresses the areas of worst performance, with a primary focus on customers who experience ongoing problems with reliability.

Under the NRF, Telstra is required to provide the ACMA with network performance reports at three levels:

- > Level 1—geographical area level, based on Telstra's field service areas
- > Level 2—disaggregated parts of the network known as cable runs
- > Level 3—the individual service level.

All Telstra services covered by the CSG are included (that is, residential and small business customers with five lines or fewer). The Level 2 requirement is for Telstra to undertake remediation work on a minimum of 40 of the worst-performing cable runs each month to improve reliability and provide reports on these remediations. There is a requirement for the average network event volume to be reduced by 90 per cent in the six-month period following remediation on those cable runs. If this requirement is not met, Telstra may be required to undertake further remediation work on the cable run concerned.

The ACMA is required to approve the initial selection of cable runs in line with a prescribed formula and to receive reports on the remediations. Where a remediation time frame has not been met, and the reasons for this meet specific requirements, the ACMA can grant an extension of the remediation time frame. The ACMA approved all cable run lists provided in 2011–12 and granted 37 extensions of time for remediation of cable runs in the reporting period.

The Level 3 requirement is for Telstra to remediate individual services that have experienced more than three fault or service difficulties in a 60-day rolling period or more than four fault or service difficulties in a 365-day calendar period. The ACMA is required to approve a proposed remediation

plan for the services. In 2011–12, Telstra reported 2,811 Level 3 contraventions for which the ACMA approved all submitted remediation plans.

Service performance under the NRF is reported in the ACMA's annual communications report.

Priority assistance

Priority assistance is an enhanced telephone connection and repair service for people with a diagnosed life-threatening medical condition who are at risk of suffering a rapid, life-threatening deterioration in their condition. The service provides residential customers with access to a reliable, fully operational home telephone service to call for assistance when needed.

Priority assistance customers are entitled to faster connection and fault repair times—24 hours in urban and rural areas, and 48 hours in remote areas—as well as greater service reliability. If a priority assistance customer experiences two or more faults in a three-month period, substantial telephone service testing is undertaken by the carrier.

A CSP who does not offer priority assistance has certain information obligations to prospective residential customers for a standard telephone service.

It is a condition of Telstra's carrier licence that it implements an effective priority assistance system. Telstra's priority assistance performance is reported in ACMA fixed-line telecommunications performance reports made available on its website.

The licence condition requirements for priority assistance only apply to Telstra. During 2011–12, iiNet and Primus provided a priority assistance service consistent with the requirements specified in Industry Code ACIF C609:2007 *Priority Assistance for Life Threatening Medical Conditions*, which was first registered in 2003.

In March 2012, iiNet advised the ACMA that it would progressively cease offering a priority assistance service during 2012. Optus also provides a priority service—the Optus Special Assistance Service—for its customers with life-threatening medical conditions in accordance with its own guidelines, rather than the registered code.

Local presence plan

Under its licence conditions, Telstra is required to maintain a local presence in regional, rural and remote Australia, to the extent that this is broadly compatible with its overall commercial interests. It is also required to report on its performance against the plan to both the ACMA and the minister. The ACMA must publish the approved local presence plan and has a role in enforcing this and other licence conditions. The ACMA is required to monitor and report each financial year to the minister on Telstra's performance against the plan.

In 2011–12, the ACMA received Telstra's report for the 2010–11 reporting period. The ACMA's review confirmed Telstra's compliance with the licence condition.

National Relay Service

The National Relay Service (NRS) is an Australian Government initiative that provides people who are deaf, or who have a hearing or speech impairment, with access to a telephone service on terms and in circumstances that are comparable to the access other Australians have to a standard telephone service. The NRS includes an outreach component to raise awareness of the NRS throughout Australia and to offer training and support for its use.

The ACMA managed two contracts for delivery of the NRS up until 30 June 2012, with the relay service delivered by Australian Communication Exchange (ACE), and the outreach service delivered by WestWood Spice.

In 2011–12, the ACMA provided advice to DBCDE on developing legislation to establish the Telecommunications Universal Service Management Agency (TUSMA), so that the legislation was appropriate to the unique requirements of the NRS. The ACMA subsequently invested time and resources to prepare for a smooth transfer of NRS contract management responsibilities to TUSMA from 1 July 2012, as required by the legislation.

During 2011–12, the ACMA managed the NRS contracts under legislative obligations outlined in Part 3 of the TCPSS Act. Under the legislation, the ACMA was responsible for:

- > collecting the NRS levy from eligible telecommunications carriers, to pay to the NRS providers for the cost of providing the NRS
- > regular monitoring of the performance of the NRS providers

- > providing an annual performance report to the minister.

In 2011–12, key activities undertaken by the ACMA relating to these contracts included:

- > Supporting development and implementation of network prioritisation in ACE's call management system so that emergency calls made via internet relay and teletypewriter requesting Triple Zero were answered with priority over other standard NRS calls. Calls by TTY users to the 106 emergency service number already received priority in ACE's system.
- > Supporting development and implementation of an initiative to allow access to the correct 13/1300/1800 number through the internet relay service based on an NRS user's geographic location.
- > Supporting an upgrade to the internet relay service to reduce the incidence of corporate firewalls preventing NRS users (typically employees of large corporations) from making internet relay calls, and to expand access to internet relay from smartphone and tablet devices.
- > Ensuring ongoing liaison and involvement with DBCDE on its *Review of access to telecommunications services by people with disability, older Australians and people experiencing illness*.

During 2011–12, the ACMA also supported the release of *Quiet Signs of Love*. The short film was produced by the NRS outreach provider, WestWood Spice, in conjunction with IkonFilm, with the ACMA helping to develop the film's script and message.

Quiet Signs of Love won the award for Best Short Film (hearing directors category) at the First Rome Deaf Film Festival, *Cinedeaf!* The film was also nominated in the prestigious Webby Awards at the International Academy of Digital Arts and Sciences, demonstrating that outreach services are delivering world-class resources.

The film was instigated as an innovative and cutting-edge way to promote a government initiative, extending outreach initiatives beyond traditional marketing and communications channels. The film promotes the internet relay service component of the NRS, which enables people from the deaf, and hearing- and speech-impaired community to make telephone calls through the NRS using their PC, tablet or smartphone device.

Quiet Signs of Love has been viewed by over 24,000 people in Australia and more than 200,000 people worldwide through the video's official online channels. Mash-ups of the original video created by other online users have generated an additional half-a-million views internationally, helping to continue viral promotion of the film. The film can be viewed at www.relayservice.com.au/quietsignsoflove/.

As well as meeting community safeguards requirements, the provision of the NRS is also related to Program 1.1: Communications regulation, planning and licensing. Successful management of the NRS contributed to the ACMA meeting the following key performance indicator:

- > an effective regulatory environment that supports a dynamic communications sector and enables industry to meet the communications needs of the community.

Performance reporting

The ACMA monitors the quarterly performance of both NRS providers and is required to provide an annual report to the minister on their performances against the requirements of the NRS Plan. The NRS Plan includes performance standards applicable to the provision of the relay and outreach service components.

The performance report for 2010–11 was tabled by the minister on 4 April 2012 and is available on the ACMA website.

Consultation with users

The NRS Customer Consultative Committee (NRSCCC) continued in 2011–12 under the auspices of the NRS relay service provider. The ACMA has an observer role on this committee. It is able to nominate new members and must approve membership. The NRSCCC held meetings in September 2011 and April 2012, fulfilling the contractual requirement of holding at least two meetings each financial year. ACMA representatives attended both meetings.

Consumer Consultative Forum (CCF)

The CCF is a formal advisory committee to the ACMA established under section 59 of the ACMA Act to help the ACMA perform its consumer functions. It provides advice to the ACMA on communications issues (mainly telecommunications and internet) that affect consumers. Up to eight consumer representatives are able to engage with three representatives from industry bodies and four regulatory and government representatives on matters that concern them. In the reporting period, the CCF met twice.

Do Not Call Register

Under the DNCR Act, the ACMA is responsible for operating the Do Not Call Register, handling consumer complaints, and overseeing compliance by telemarketers and fax marketers. Details on complaints and investigations under the Do Not Call regulatory regime can be found on page 91.

The register is a secure database where individuals and organisations can list their Australian numbers to opt out of receiving most unsolicited telemarketing calls and marketing faxes. Registration is free and valid for six years.

Australian numbers can be registered if they are used or maintained either:

- > primarily for private or domestic purposes
- > exclusively for transmitting and/or receiving faxes
- > exclusively for use by a government body or an emergency service number.

More than 1.3 million numbers were added to the register in 2011–12. By 30 June 2012, more than 7.7 million numbers had been listed on the register, representing more than half of Australia's eligible fixed-line numbers, and over three million mobile numbers.

In June 2011, a new online service was implemented that allows organisations to easily register multiple numbers at a time. This facility has proved successful with over 191,342 numbers registered.

There is a general prohibition on making unsolicited telemarketing calls or sending unsolicited marketing faxes to a number listed on the register. There are limited exemptions to enable certain public interest organisations to call numbers listed on the register. Exemptions also apply where the account-holder of a number on the register consents to the call or where consent can be reasonably inferred.

To avoid breaching the DNCR Act, telemarketers and fax marketers are able to submit their contact lists to the register operator for checking against the register. Since the commencement of the register, 6,725 telemarketers and 193 fax marketers have set up accounts to check or 'wash' numbers and more than 5.4 billion numbers have been washed against the register.

Do Not Call Register contract

On 1 February 2007, the Commonwealth entered into a contract with Service Stream Solutions Pty Ltd to establish, operate and manage the Do Not Call Register. The contract over seven years has a total value of \$23.83 million (including GST) and includes acquisitions of the following additional services:

- > an additional channel for submitting contact lists for washing against the register
- > improvements to the complaints management system
- > systems modifications to meet the new requirements of the *Do Not Call Register Legislation Amendment Act 2010*.

See also *Do Not Call Register access fees and cost recovery* on page 73.

Do Not Call Register industry and consumer awareness campaign

During the reporting period, the ACMA continued to raise awareness of the Do Not Call Register by educating consumers and industry on their rights, roles and responsibilities under the DNCR Act.

Several campaigns were initiated including:

- > A Facebook campaign targeting consumers aged 18 to 34. The campaign attracted over 200,000 views for each of the three sponsored posts and four sponsored polls that were published. There was also a high degree of interactivity across the posts and polls, with the posts attracting 441 interactions and the polls receiving 11,851 answers.
- > A national community radio campaign aimed at culturally and linguistically diverse communities, with advertisements promoting the Do Not Call Register translated into Arabic, Greek, Chinese, Italian and Vietnamese.
- > Information on registration of numbers provided in booklets aimed at consumers aged 65 and over.

Additionally, the Do Not Call Register website—www.donotcall.gov.au—provides detailed information about the operation of the register and the DNCR Act, including information sheets, online registration and an online enquiry form. A downloadable consumer brochure is also provided in six languages.

Protection of consumer information

Part 13 of the Telecommunications Act provides for the ACMA to administer the Integrated Public Number Database (IPND) scheme.

The IPND is an industry-wide database of all listed and unlisted public telephone numbers. It was established in 1998 and is currently managed by Telstra under the Carrier Licence Conditions (Telstra Corporation Limited) Declaration 1997.

The IPND scheme allows for the assessment of applications for authorisation for public number directory publishers and researchers of a kind specified by the minister as being in the public interest. In the year to 30 June 2012, one authorisation to access IPND data for the purposes of conducting permitted research was granted. As a result, as at 30 June 2012, six entities held authorisations to access IPND data for the purpose of publishing public number directories and two entities held research authorisation. Three of the authorisations relate to electronic public number directories

See also *Integrated Public Number Database* on page 111.

Community awareness

The ACMA's role includes informing consumers about communications products and services that are available to them, and informing industry and consumers about their communications rights and obligations.

Cybersafety – the Cybersmart program

The ACMA's role includes developing and implementing a national cybersafety education program. This role is conferred on the ACMA under Schedule 5 of the BSA.

In 2011–12, awareness activities focused on:

- > the continuing development and deployment of internet safety presentations and teacher professional development for the Outreach program
- > the development of cybersafety education programs and information material for schools, pre-service teachers, parents and libraries.

The ACMA has also focused on evaluating its key Cybersmart programs so that they are effective in driving behaviour change for their intended audiences. In 2011–12, evaluations were completed into the Cybersmart Detectives and Cybersmart Outreach programs. These reports will be published early in the next financial year, and report findings are already being used to refine these programs to improve effectiveness. Work is also underway to develop an evaluation framework that will more formally identify how to build evaluation into program design.

The Cybersmart website, cybersmart.gov.au, continues to be the main portal for the delivery of cybersafety information and resources. The site has undergone a full visual redesign and content refresh so that it maintains relevance to users. The site will be relaunched with a new look and feel in early 2012–13.

Site visitors increased considerably in 2011–12, with a total of 561,436 unique visitors compared to 434,793 in 2010–11 (an increase of 29 per cent). Since its launch in July 2009, there have been over 1.9 million visitors to the site, with a total of more than 16.3 million page views.

In line with the web presence, Cybersmart has been active in the social media space over the last 12 months, with its number of Twitter followers increasing from 382 at 1 July 2011 to 1,826 at 30 June 2012. Over that time, Cybersmart has sent out 1,871 individual tweets, which have in turn been retweeted by followers.

The Cybersmart blog was launched on 9 December 2011 and had just over 2,450 unique visitors by the end of the reporting period. The blog covers myriad topics. Entries were penned mainly by the Cybersmart team and also featured a number of real-life accounts from parents, students, teachers and librarians.

The Cybersmart Online Helpline, delivered in partnership with Kids Helpline, offers real-time online counselling and advice to young people who are experiencing issues such as cyberbullying, digital reputation management and concerns with online relationships. Kids Helpline counsellors are experts in helping young people deal with their concerns and the service is free and confidential.

Cybersmart Outreach program

The ACMA provides an extensive and broad-ranging Cybersmart Outreach education program for teachers, students and parents across Australia. These presentations and workshops provide valuable information on the risks confronting children online, as well as giving appropriate tools and strategies to help make experiences with online technologies safe and positive. All programs and resources are free.

The Outreach program currently consists of:

- > Internet Safety Awareness presentations to teachers, students, parents and other key stakeholders
- > Professional Development for Educators workshops
- > Pre-Service Teacher Program for teachers in their final year of university
- > Connect.ed—online interactive professional development program for educators.

The Internet Safety Awareness presentations are easy to understand, non-technical and informative. The presentations cover a range of issues including:

- > the ways children engage with the online world and emerging technologies
- > the potential risks faced by children when online, such as cyberbullying, identity theft, inappropriate contact and exposure to inappropriate content.

Empowerment and education underpin the presentations, offering effective strategies to help young people make wise and safe choices within their online communities.

The Professional Development for Educators workshops provide teachers with a comprehensive understanding of a modern student's technology profile, digital literacy, positive online behaviour, peer and personal safety, and the school and teacher's legal obligation to minimise and address risk.

Connect.ed, an interactive online professional development program for teachers, is designed to complement and build on the Outreach suite of Cybersmart presentations and workshops.

Comprising a set of four modules, the program is self-paced and accessible by all teachers across Australia including casual relief teachers. Connect.ed immerses teachers into the online world of young people, giving them the knowledge, confidence and tools to help their students have positive online experiences.

The Cybersmart program for pre-service teachers uses a combined lecture and tutorial approach. It provides trainee teachers with up-to-date knowledge, skills and practical advice on cybersafety to complement the core safety skills they will teach to Australian children.

All programs are regularly updated to respond to issues emerging from the changing digital landscape. A recent evaluation by independent consultants indicated that there was strong across-the-board endorsement of the ACMA's Cybersmart Outreach program and that there was a need for the high-quality presentations and workshops to continue to be available at no cost.

In 2011–12, the ACMA's Cybersmart Outreach program delivered 1,803 presentations to more than 198,000 teachers, parents and students.

Participation in the Professional Development for Educators program continues to be strong, with over 2,300 teachers attending a workshop in 2011–12.

Cybersafety education resources

In 2011–12, the ACMA expanded its existing range of cybersafety education resources. These new resources add to the already diverse suite of Cybersmart resources for schools, teachers, parents and students, and include:

- > *Tagged*—a cybersafety educational video resource promoting responsible online behaviour to secondary students, launched in September 2011. With a focus on cyberbullying, digital reputation and sexting, *Tagged* has won several international awards and has been viewed over 61,000 times on the Cybersmart YouTube channel. See the case study on page 136 for more information about *Tagged*.
- > Sexting lesson plans for teachers—developed in response to a growing number of incidents and media stories, classroom resources on sexting were released for secondary students. These explore the potential social, emotional and legal consequences of sexting, and advise on how to manage sexting-related issues.
- > Cybersmart Access—developed by expert teachers to specifically meet the requirements of students with special needs. This activity encompasses a number of engaging games addressing the issues of online friends, trust and cyberbullying.
- > Cybersmart Networking—the third program in the interactive shared learning suite is an online interactive program teaching safe social networking to children at upper primary and lower secondary levels.

In addition to the resources that have been launched, several projects have progressed through the development stage and are due for launch early in 2012–13. These projects include:

- > A new online activity for young children, aged five to seven, who are just starting out online. Designed for children to play with their parents, it will reinforce the basic messages required to safely navigate the internet.
- > A redesigned Cybersmart website. The new site will feature fully redeveloped content as well as a mobile version that includes new content designed specifically for use on mobile platforms.

Interactive shared learning activities— Cybersmart Detectives, Cybersmart Hero and Cybersmart Networking

2011–12 has been a benchmark year for the interactive shared learning suite of products, with the launch of Cybersmart Networking, record enrolments in the program and the finalisation of a formal evaluation of the Cybersmart Detectives activity. The evaluation has indicated the activity is effective in imparting cybersafety messages, particularly to younger and more vulnerable users. It has also identified some areas where the program can be refined. The full evaluation report will be published early in the next financial year.

During the reporting period, 12,226 students participated in Cybersmart interactive shared learning activities. Since the national launch of Cybersmart Detectives in July 2009, over 38,000 students have now participated in Cybersmart Detectives, Cybersmart Hero and Cybersmart Networking, which provide in-depth and personalised cybersafety instruction in a safe online environment.

Interactive shared learning activities are online activities developed for use in schools to teach children how to stay safe in the online world. The interactive nature of the programs is very popular with school children and they are endorsed by teachers as a valuable learning tool. The activities target young people in upper primary and lower secondary school.

Extensive upgrades were also made to the software that supports these programs to improve their usability and accessibility.



The ACMA's award-winning short film Tagged, launched in September 2011, explores themes like cyberbullying, sexting, digital reputation and online behaviour.

Table 36: ACMA cybersafety initiatives

Type of initiative	2011–12	Total to date
Internet Safety Awareness presentations¹¹		
Events	1,803	5,313
Attendees	198,097	550,592
Professional Development workshops¹²		
Events	80	465
Attendees	2,319	11,270
Pre-Service Teacher Program¹³		
Events	41	77
Attendees	4,592	7,651
Total events	1,924	5,855
Total attendees	205,008	569,513
Connect.ed Online PD Program¹⁴		
Registered	3,586	5,734
Completed	1,319	1,553
Interactive shared learning—Cybersmart Detectives¹⁵		
Schools	111	750
Students	5,801	28,191
Interactive shared learning—Cybersmart Hero¹⁶		
Schools	89	172
Students	4,379	8,395
Interactive shared learning—Cybersmart Networking¹⁷		
Schools	30	30
Students	2,046	2,046
Key resources¹⁸		
<i>Wise Up To IT</i> DVD	8,385	105,900
<i>Let's Fight It Together</i> DVD	4,399	27,303
<i>Tagged</i> DVD	10,416	10,416
<i>CyberQuoll</i> DVD	1,608	10,627
<i>CyberNetrix</i> DVD	1,911	22,370
Cybersmart brochures	1,481,579	4,718,076
Other resources	61,174	917,338
Total resources delivered	1,569,472	5,812,030

¹¹ Internet Safety Awareness programs have been available since January 2009.

¹² Professional Development workshops have been available since January 2009.

¹³ Pre-Service Teacher Programs have been available since October 2009.

¹⁴ Connect.ed has been available since April 2011.

¹⁵ Cybersmart Detectives has been available since January 2008.

¹⁶ Cybersmart Hero has been available since June 2010.

¹⁷ Cybersmart Networking has been available since November 2011.

¹⁸ Cybersmart resources have been available since April 2008.

Key partnerships

The ACMA has continued to collaborate with Australian and international agencies involved in online safety.

Internationally, the ACMA has in place memorandums of understanding with NetSafe (New Zealand's online safety advisory body) and Childnet International (UK). Under these agreements, the ACMA shares information and works collaboratively with these organisations on cybersafety matters.

Other key partners include agencies involved in the government's Consultative Working Group on Cybersafety, of which the ACMA is a member, as well as state and federal police forces and education departments.

Safer Internet Day and National Day of Action against Bullying and Violence

The Cybersmart teams were leaders of, and active participants in, several national and international days of action on cybersafety. The most prominent was the internationally celebrated Safer Internet Day on 7 February 2012.

Safer Internet Day 2012 was observed in over 73 countries across Europe, North America, South America and the Asia-Pacific region. The ACMA worked with partners from government, industry and community organisations across Australia to promote Safer Internet Day 2012.

The theme for Safer Internet Day 2012 was 'Connecting generations and educating each other' and this formed the basis of all activities undertaken on the day. Content specific to grandparents and seniors was developed and hosted on the Cybersmart website. Blog posts and personal video accounts of using technology across the generations were also featured, highlighting the challenges faced by parents, teachers and libraries in a constantly evolving space.

More than 1,900 students across Australia participated in Cybersmart Networking and Cybersmart Hero activities on Safer Internet Day, including 23 schools across Australia and Christmas Island. Police from New South Wales, Western Australia, Tasmania, Queensland and the Australian Federal Police participated as guides for the activities as well as ACMA staff. Another 7,000 students participated in online Internet Safety Awareness presentations, led by Cybersmart's Outreach program, while the Cybersmart website had 6,600 unique visitors for the day.

The success of Safer Internet Day was followed up on 16 March 2012 when the Cybersmart team supported the National Day of Action against Bullying and Violence. Cybersmart activities on the day included:

- > multiple Cybersmart Hero activities involving more than 600 students
- > Internet Safety Awareness presentations using virtual classroom technology reaching 4,500 students
- > a dedicated workshop at the 'Kids in Cyberspace' seminar at the NSW Teachers Federation Conference
- > a Cybersmart blog
- > expert advice on the Cybersmart website
- > Skype sessions in schools in conjunction with Kids Helpline.

The ACMA supported Privacy Awareness Week (29 April to 5 May 2012) by providing resources for teachers, parents and teens on cybersecurity, keeping personal information safe and identity theft. Cybersmart Detectives and Cybersmart Hero activities were played by 500 students nationally during the week and the Australian Privacy Commissioner participated as an online guide during one of the activities.

The ACMA was also actively involved in National Cyber Security Awareness Week, held from 12 to 15 June 2012. The ACMA ran a series of Interactive Shared Learning events to promote awareness of online safety and security within the Australian community.

Consumer awareness—new communications technologies

In the reporting period, the ACMA continued to promote safe online behaviour by providing new and updated web-based information on the potential risks associated with smartphones, mobile premium services, excessive internet use and location-based services

As an increasing number of non-English-speaking consumers are likely to use new communications technologies and services, the ACMA continued to provide relevant information in 20 commonly used community languages in Australia.

Case study

Tagged

As part of its diverse suite of educational resources, in 2011–12 the ACMA targeted students aged 14 years and over with a short film, *Tagged*.

Tagged tackles several important issues for teens—cyberbullying, sexting and managing digital reputation. It follows the journey of three high-school friends who post a rumour on a blog about a rival student. This seemingly harmless act triggers a chain of events that has unintended consequences, leading to broken friendships, school intervention and police involvement.

The ACMA drew on the results of its 2009 *Click and connect* research in choosing a short film format to convey cybersafety messages to teens. This research identified a desire among young people for compelling programs that address cybersafety issues in ways that are engaging, realistic and relatable. Teenagers provided direct input into the film's development—workshopping early drafts of the script and giving feedback on the near-to-final product. The outcome is realistic characters, languages and scenarios, and a film that resonates.

Tagged is accompanied by a comprehensive pack of teaching and student resources, including lesson plans, activities and additional character interviews that further explore the film's themes and promote positive online behaviour.

Since its launch in September 2011, *Tagged* has become an important part of the ACMA's portfolio of cybersafety resources. It has attracted more than 61,000 views on YouTube, and over 14,000 copies of the DVD and posters have been distributed nationwide. In 2012, *Tagged* won Grand and Gold intermedia-globe awards at the WorldMediaFestival, as well as a Silver World Medal and Finalist Certificate at the New York Festivals International Television and Film Awards.

Tagged is available free on DVD and online. The related website, www.cybersmart.gov.au/tagged, provides fact sheets and links for young people, teachers and parents.

In line with the aim for its cybersafety programs to change the behaviour of children and young people, the ACMA has commissioned an independent evaluation of *Tagged* to inform development of future resources. The ACMA expects to publish a report of the evaluation early in 2012–13.



The ACMA's award-winning short film *Tagged*, launched in September 2011, explores themes like cyberbullying, sexting, digital reputation and online behaviour.

Research and reporting

The ACMA undertook a range of research into the changing use of, and community attitudes to, communications and media services, and technology and market developments. The research and reporting program helps the ACMA to meet its statutory obligations, make informed decisions as an evidence-based regulator and understand the implications that regulation of communications and media markets may create.

Consumer and audience research

During the year, the ACMA undertook a range of research that examined consumer and audience attitudes, concerns and service use.

Telecommunications customers and credit management

Following the ACMA's *Reconnecting the Customer* public inquiry, research was commissioned to examine issues related to credit management and telecommunications service providers, including the experience of unexpectedly high bills and difficulty paying. The findings from the research are to be published later in 2012.

Research into online safety

As part of the Australian Government's cybersafety policy, the ACMA provides a comprehensive national program of cybersafety initiatives, which includes conducting research on current cybersafety trends and developing education materials for schools.

Cybersafety and social networking services

In March 2012, the ACMA commissioned a quantitative study of the online safety behaviours and attitudes of children and young people aged 8–17. This research explores the perceptions children, young people and parents have of online risks and opportunities, with an emphasis on how children and young people protect themselves online and the strategies they use to minimise online risk. This project complements the qualitative research commissioned in May 2011 and is a follow-up to the ACMA's previous research on young Australians' use of online social media, published as the *Click and connect* series in July 2009. The research report will be published in 2012–13.

Evaluation of Tagged cybersafety education resource

In May 2012, the ACMA commissioned a qualitative study to evaluate the effectiveness of the *Tagged* resource at:

- > engaging the target audience of young people aged 13–17
- > enhancing young people's understanding of the relationship between online risk and the choices they make in their digital environments.

The research report will be published in late 2012.

Evaluation of Cybersmart Detectives

This evaluation examined the effectiveness of the Cybersmart Detectives online learning program in educating students about cybersafety issues. As part of the evaluation, the project examined the immediate impact of the program on students' cybersafety knowledge, including whether they are able to link these cybersafety messages to their own online behaviours outside the program.

Using a mix of qualitative and quantitative methods, the independent evaluation was conducted by the Child Health Promotion Research Centre, Edith Cowan University. The research report will be published in the next reporting period.

Unsolicited communications and malware

In May 2012, the ACMA commissioned qualitative and national quantitative research into consumers' experiences with unsolicited telemarketing calls, spam and malware. This research will assist the ACMA to better understand and address problems that Australians experience in these areas, and assess the effectiveness of the Do Not Call Register and protections against spam and malware. A report of the findings will be published in 2012–13.

Exploratory research into location services

The ACMA commissioned exploratory community research on location services in 2012. The primary aim of the project was to give the ACMA insight into consumer behaviours and attitudes towards location services; in particular, awareness about how location services work, risks and ways consumers can protect their personal data. The research report will be published later in 2012.

Regulatory design best practice

Over the course of 2011–12, the ACMA made significant contributions to the public debate about the impacts of communications and media convergence on regulation. The following reports were released to stimulate discussion about regulatory design in a converged environment:

- > *Broken concepts—The Australian communications legislative landscape* examines how the process of convergence has systematically broken, or significantly strained, many of the legislative concepts that form the building blocks of current communications and media regulation
- > *Enduring concepts—Communications and media in Australia* was released as a companion piece to *Broken concepts*. It identifies the fundamental concepts that underlie the rationale for present and future intervention in media and communications markets, and considers how these concepts may be applied in a converged media and communications framework.
- > *Optimal conditions for effective self- and co-regulatory arrangements* is a revised edition of an earlier paper that includes updated material and case studies demonstrating the application of the assessment framework outlined in the original paper.

Digital Australians—Expectations about media content in a converging media environment

Research was commissioned in 2011 to examine how adult Australians use media, and the potential impacts of a converging media environment on their attitudes to, and expectations of, media content issues. The study also examined aspects of digital media literacy, such as the skills and confidence needed to access and evaluate media content. Qualitative discussion groups and an online survey of internet users were used.

The research findings were published in October 2011 on the ACMA website.

Technology applications research publications

During the year, two technology-based research reports were published:

- > *Sensing and monitoring—Recent developments*, September 2011 — focuses on the underlying technology capabilities that support information-harvesting, examines the use of sensing and monitoring across particular industry sectors of the digital economy, and looks at some potential implications for users. While the information revolution can potentially empower both organisations and individuals, it is also creating an environment that is becoming less private, raising questions about data ownership and use of such information.
- > *Developments in next generation applications and services*, December 2011 — examines how next generation communications networks (NGNs) provide common accessible infrastructure that is increasingly available to customers through broadband access technologies. By allowing interconnection to other 'like' networks, NGNs effectively remove carriage technology barriers to provide a broad foundation for next generation applications and services. This has implications for providers, users and regulators, changing the nature of interaction between them.

Market trends and service developments

During the year, the ACMA researched changes in traditional and emerging communications services, arising from the increasing use of the internet.

The internet service market and Australians in the online environment

This report examines the changing characteristics of the internet access market in Australia. In particular, it examines internet service provider offerings and consumer participation in the digital economy as represented by increased use of the internet and related online services. It builds on previous ACMA research, particularly *Australia in the digital economy—The shift to the online environment* and *Australia in the digital economy—Consumer engagement in e-commerce*, providing updates for key data and trends. The report was released in July 2011.

Communications report series

The *Communications report 2010–11* fulfilled the ACMA's statutory reporting obligations under section 105 of the Telecommunications Act to report to the minister on the performance of carriers and CSPs, including consumer satisfaction, consumer benefits and quality of service. The report was tabled in parliament on 13 December 2011. In line with a new reporting structure introduced in 2010 to enhance the value to stakeholders, the ACMA completed the 2010–11 statutory report focusing on the performance of the communications and broadcasting industries in meeting regulatory obligations. It also produced a series of three complementary reports:

- > *Report 1—e-commerce marketplace in Australia: Online shopping.* Released on 16 November 2011, this report examined the growth in online shopping in Australia, the online shopping behaviours of Australian consumers and the nature of the industries promoting online shopping services.
- > *Report 2—Converging communications channels: Preferences and behaviours of Australian communications users.* Released on 8 December 2011, this report focused on Australians' increasing tendency to adopt multiple communication technologies, with the rise of smartphones and internet-based communications complementing traditional fixed-line telephony.
- > *Report 3—The emerging mobile telecommunications service market in Australia.* Released on 15 December 2011, the report presented an overview of the growth of the mobile applications market in Australia and examined the impact of apps on communications, banking, content and social networking services.

Key data from the reports included:

- > The number of fixed-line telephone services in operation declined marginally from 10.59 million to 10.54 million. At June 2011, an estimated 2.7 million Australians were without a home fixed-line telephone service, up from 2.3 million at June 2010.
- > The number of mobile services (voice and data) in Australia increased by 13 per cent during 2010–11 to reach 29.28 million at June 2011, with net growth in mobile services fuelled by a continued surge in the numbers of mobile internet services.
- > Australians continued to diversify their use of communications, with increasing numbers using internet-protocol-based communications. Take-up of VoIP services increased, with 3.8 million people using a VoIP service at home at June 2011, compared to 2.9 million at June 2010. Approximately 8.6 million Australians went online from home to access social networking sites during June 2011, compared to 8.0 million during June 2010.

The reports were disseminated using social media tools, including Facebook, Twitter, webinars and the ACMA's beta website, *engage*. The ACMA is committed to the principles of Gov2.0, which provide the opportunity to improve the visibility and reach of its research and reporting program.



The ACMA's Communications report 2010–11 was supplemented by a series of three reports that focused on topical themes related to convergence and the digital economy.

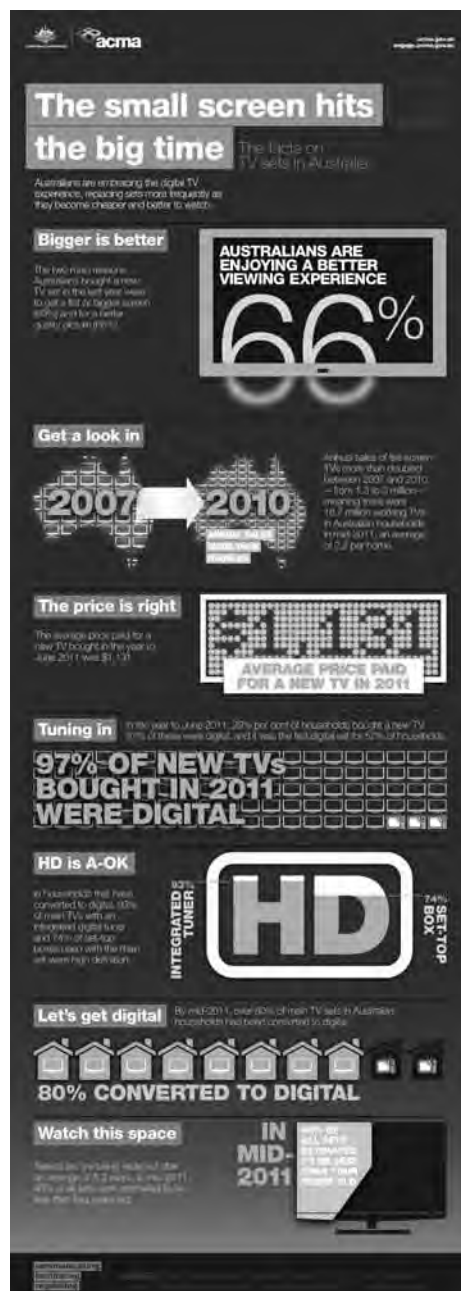
Transition to digital television

Research into domestic antenna stock and television equipment

A quantitative study of domestic antenna systems and television equipment in the Penrith area was commissioned. The study was designed to help with understanding the proportion and nature of television reception issues in an outlying metropolitan reception area. The research report was published in June 2012.

Television sets in Australian households 2011

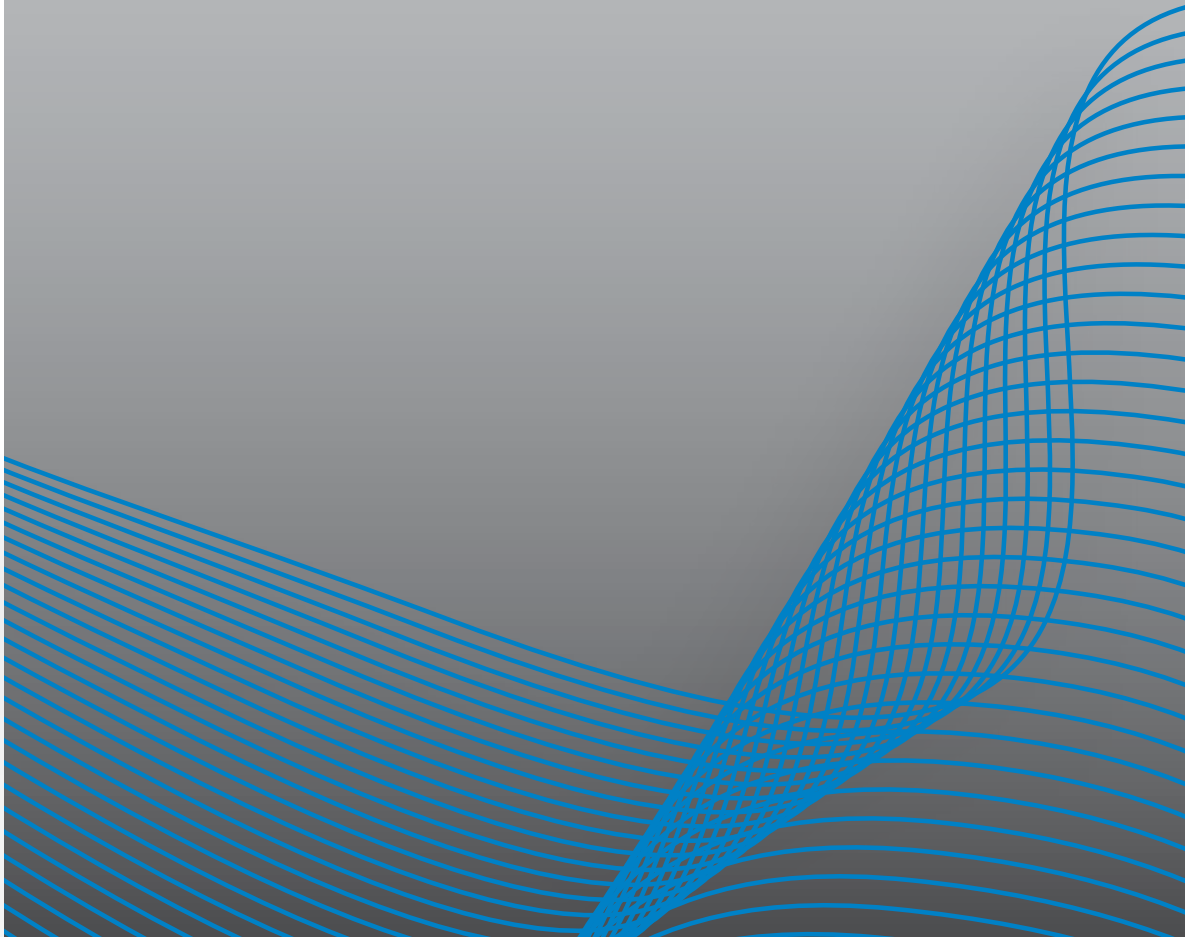
In 2011, a series of questions was included in an omnibus survey to help estimate the current stock of domestic television sets and consumer expectations about replacing them. The results from the survey were combined with data from other sources to provide estimates of digital, standard definition and high definition television equipment in Australian households, to help understand the potential impact on consumers of future technical migration. The report was published in June 2012.



The ACMA took an innovative approach to highlighting facts from its research into television sets in Australian households, creating an infographic that was posted on a range of key media sites including gizmodo and news.com.au.

Chapter 4

Managing and
developing our
resources



Chapter 4 details the ACMA's staffing arrangements, information management, corporate governance, communications and engagement, and financial and property management.

The ACMA continues to focus on strengthening its corporate, financial management and information management frameworks.

Our people

The ACMA's staffing complement at 30 June 2012 was 618, compared with 659 at 30 June 2011. Comparative staffing details are given in Appendix 3.

Employment arrangements and conditions of work for all non-SES employees of the ACMA are determined by the ACMA *Enterprise Agreement 2011–2014* (the ACMA Agreement). Salary ranges available under the ACMA Agreement are in Appendix 3.

Terms and conditions for the ACMA's 20 Senior Executive Service (SES) employees are contained in common law contracts.

At 30 June 2012, the salary ranges for employees on common law arrangements were:

- > SES1—\$145,781 to \$180,745
- > SES2—\$185,316 to \$203,848.

Non-salary benefits provided to employees on common law arrangements may include:

- > performance bonus
- > retention bonus
- > mobile telephone/BlackBerry/iPhone
- > airline club membership
- > residential broadband service
- > car allowance
- > parking
- > laptop or allowance and printer for use at home
- > outplacement assistance/financial counselling if deemed excess.

At 30 June 2012, 21 employees at ACMA Level 4, ACMA Level 5, Executive Level 1 (EL1) or Executive Level 2 (EL2) had individual flexibility arrangements (IFAs) for additional salary or retention bonuses. The highest additional salary increases the EL2 maximum to \$146,290 per annum and the EL1 maximum to \$111,098 per annum. The maximum retention bonus is \$10,000 per annum.

Performance payments

Performance pay is available to employees at EL2 level under the ACMA Agreement and to SES employees under common law contracts. Total performance pay paid in 2011–12 for EL2 and SES employees is set out in Table 37.

Performance pay for SES Band 2 employees for 2010–11 was not determined when the annual report for that year was tabled. Since then, SES Band 2 employees have received performance pay for service in 2010–11, with the aggregate amount paid being \$87,107 and the average individual payment being \$19,357.

Workplace Diversity Program

The ACMA Workplace Diversity Program incorporates APS values and follows the Australian Public Service Commission’s *Guidelines on Workplace Diversity*. The program assists the ACMA to:

- > promote the benefits of diversity, for both agency and employees
- > develop and implement actions and achieve results towards diversity targets
- > adhere to its legal responsibilities as an employer
- > increase employee awareness and understanding of workplace diversity issues
- > encourage employees to recognise the benefits of operating within an inclusive work environment.

These diversity principles aim to value the range and variety of skills, abilities and backgrounds in the workplace and the Australian community at large.

The ACMA recognises and values individual differences and aims to raise awareness of the importance of workplace diversity by:

- > including the acknowledgment and acceptance/encouragement of diversity in organisational and individual performance plans
- > ensuring that selection criteria for management positions include the ability to integrate workplace diversity principles into everyday management practice
- > making information available to new employees in induction material.

The ACMA seeks to achieve high-quality equity and diversity outcomes by:

- > supporting equal access to training and development for all individuals and groups
- > ensuring that senior management supports the workplace diversity coordinator
- > helping employees balance work, study, family life and other caring responsibilities through access to home-based work, part-time work, flexitime, studies assistance, and personal and purchased leave.

On 30 June 2012, the ACMA’s employee profile was:

- > total employees—618
- > number of women—314
- > number of staff from a non-English-speaking background—126
- > number of staff with a disability—5
- > number of Indigenous staff—3.

Table 37: Performance payments 2011–12

Employee level	Employees paid	Total performance pay (\$)
EL2	96	1,047,547.34
SES Band 1 and 2	20	343,942.07
Total	116	1,391,489.41

Equity in employee selection processes is promoted by training all relevant employees in how to select employees and by monitoring the effectiveness of the selection guidelines.

The Workplace Diversity Program is currently under revision. The ACMA will look to focus more of its resources on Indigenous employment strategies in line with the whole-of-government initiative, as well as on people with a disability.

Changes to disability reporting in annual reports

Since 1994, Commonwealth departments and agencies have reported on their performance as policy adviser, purchaser, employer, regulator and provider under the Commonwealth Disability Strategy. In 2007–08, reporting on the employer role was transferred to the Australian Public Service Commission's *State of the Service Report* and the *APS Statistical Bulletin*. These reports are available at www.apsc.gov.au. From 2010–11, departments and agencies have no longer been required to report on these functions.

The Commonwealth Disability Strategy has been overtaken by a new National Disability Strategy, which sets out a 10-year national policy framework for improving life for Australians with a disability, as well as for their families and carers. A high-level report to track progress for people with a disability at a national level will be produced by the Standing Council on Community, Housing and Disability Services to the Council of Australian Governments and will be available at www.fahcsia.gov.au. The Social Inclusion Measurement and Reporting Strategy agreed by the government in December 2009 will also include some reporting on disability matters in its regular *How Australia is Faring* report and, if appropriate, in strategic change indicators in agency annual reports. More detail on social inclusion matters can be found at www.socialinclusion.gov.au.

Ethical standards

The ACMA continued to promote the importance of ethical standards through its Chief Executive Instructions (CEIs), training programs, and human resources policies and guidelines. The ACMA has a CEI on gifts, benefits and hospitality, and has procurement policies and procedures that promote ethical standards. During 2011–12, the ACMA ran an extensive campaign aimed at eliminating workplace bullying and harassment. The key messages of the campaign were:

- > bullying and harassment are not tolerated at the ACMA
- > the Executive and senior management hold an open-door policy for any staff member to discuss bullying and harassment
- > speak up—if you witness bullying and don't speak up then you are supporting it
- > together we all share the responsibility to eliminate bullying and harassment
- > support is available.

Extensive information was also made available to all staff through new intranet pages titled *Working Together*. The role of Harassment Contact Officer was strengthened by:

- > developing guidelines and procedures for Harassment Contact Officers
- > developing terms of reference for the Harassment Contact Officer Network
- > organising a two-day meeting to bring all Harassment Contact Officers together in one location as a networking opportunity. Further training was also provided and Harassment Contact Officers discussed newly introduced reporting requirements
- > providing one-on-one mentoring to all Harassment Contact Officers from the Australian Public Service Commission.

Staff continued to be advised and reminded of their individual obligations under the APS Values and Code of Conduct through an online induction training program, an online managers' handbook and selection criteria for all ACMA position descriptions. Regular ACMA staff surveys tested staff knowledge and awareness of the APS Values and Code of Conduct.

The ACMA has a whistle-blowing policy in place and procedures for determining breaches of the APS Code of Conduct.

Health and safety

During 2011–12, the ACMA undertook the necessary analysis, review and updating of policies and procedures to ensure its preparedness for transition to the Work Health and Safety (WHS) legislation, which came into effect on 1 January 2012.

This work included briefing sessions for, and consultation with, the Executive, health and safety representatives, health and safety committees and staff in general.

The ACMA continues to have a vigorous framework to manage workplace health and safety. New arrangements also provide guidance for consultation and dispute resolution to allow management and employees to work together to effectively manage workplace health and safety risks and hazards.

Designated work groups and our health and safety committee structures were reviewed as part of the transition to the new legislation. Elections were held for health and safety representatives across all newly created work groups. Additionally, a new role of Work Health and Safety Champion was introduced. These roles are appointed from senior managers within a work group to champion work health and safety issues.

A Health and Safety Representative Forum was also introduced during 2011–12 to provide networking opportunities and training, and to improve the skills and capabilities of our elected health and safety representatives.

Regular workplace inspections were undertaken in all ACMA workplaces to identify hazards and potential hazards and to review current hazard control measures. These inspections were undertaken by health and safety representatives and workplace champions.

Health and safety information is provided to all new employees through the ACMA's electronic employee induction program. Employees have access to comprehensive health and wellbeing information through the intranet. Information provided covers a wide range of topics including mental health, ergonomics and safe computer use, and reporting hazards and injury.

The ACMA is committed to promoting health and wellbeing in the workplace and supports this through the following initiatives:

- > monthly *Well at Work* newsletter
- > annual health weeks
- > flu vaccinations
- > assistance with costs associated with eye testing and purchase of glasses for screen-based use
- > Employee Assistance Program
- > bullying and harassment prevention campaign
- > Harassment Contact Officers Network
- > e-learning health and safety modules as induction tools and ongoing resources.

The ACMA is strongly committed to the safe and early return to work of injured or ill employees, whether the injury or illness is work-related or not. This commitment is supported through early intervention strategies including the engagement of rehabilitation providers to facilitate the return to work process.

A recent staff survey has indicated an increased awareness throughout the organisation of bullying and harassment within the workplace. Health and Safety representatives and Harassment Contact Officers have more knowledge of, and confidence in, their roles due to the networking opportunities and training provided through the Health and Safety Representative Forum and Harassment Contact Officers Network. The relatively low rate of incidents and hazards reporting has remained fairly stable. This is mainly due to an ongoing campaign to report hazards and injuries so that appropriate action can be taken—especially to reduce future injuries. Using e-learning modules has been an efficient and effective way to introduce health and safety principles to new staff, as well as promote health and safety within the ACMA on an ongoing basis.

During the reporting period, the ACMA reported two notifiable incidents to Comcare under health and safety legislation. No work health and safety investigations were conducted and no notices were given to the ACMA under Part 10 of the *Work Health and Safety Act 2011*.

Consultation and workplace relations

Staff consultative bodies are established under the ACMA Agreement.

The National Consultative Forum deals primarily with the key strategic and change issues that affect the ACMA. Convened by the ACMA Deputy Chairman, it comprises management, union and employee representatives. The National Consultative Forum met three times in the reporting period, discussing a number of important issues including the negotiation of the ACMA Agreement, the ACMA Funding and Activity Review and office accommodation changes.

Local consultative forums, comprising management, union and employee representatives, and chaired by a senior manager, are established in each of the four work areas—Canberra, Melbourne, Sydney and Operations. They met at least once during the reporting period, with the frequency of meetings determined by the number of issues being considered. Local consultative forums can refer matters with organisation-wide implications to the National Consultative Forum.

Approaches used to involve employees in decision-making and information-sharing include all-staff meetings, planning sessions, branch and section meetings, focus groups, general information sessions and using the ACMA intranet to disseminate information.

People and capability development

The ACMA is committed to identifying and addressing capability and development needs on an individual staff member and agency basis to improve skills and knowledge and support staff career development. This aim is supported through strategic workforce planning, which focuses on agency capability requirements to identify capability needs both now and in the future, and targeting individual and critical skill development needs as part of a structured learning and development program.

The ACMA's net expenditure in 2011–12 for employee training was \$1,372,274. This included general training, staff attendance at conferences and seminars, and studies assistance. Training addressed a range of topics, with a particular focus this year on leadership and management skills, coaching and mentoring, project management and technical skills training, including radiocommunications. Staff also attended industry-related seminars and conferences on leading-edge developments in the communications industry.

During the year, 49 employees were assisted under the ACMA's Studies Assistance Guidelines. Employees were supported in undertaking tertiary qualifications in specialised fields such as management, communications, accounting, engineering and law.

ACMA Leadership 2.0—an experientially based leadership program developed in collaboration with the ACMA and conducted by Mt Eliza Executive Education—was launched in late 2010 and involved five cohorts participating in the program to July 2012. The program is designed to build strong, effective, resilient and flexible leadership to support the ACMA through its transformational agenda. Large group projects are a fundamental design feature undertaken by each program cohort. The project themes are highly relevant to the ACMA and examine issues such as increasing agency performance through strategic alignment, best-practice regulation and best-practice customer service.

Since the launch of ACMA Leadership 2.0, 51 employees in three cohorts have completed the program—including 37 participants during 2011–12. There is strong evidence that this program is influencing the culture of the agency, with managers now using consistent leadership language across the organisation. Evaluations to date show significant shifts in thinking and leadership behaviour in participants with the greatest impact in the areas of dealing with uncertainty and ambiguity, cross-agency collaboration, self-awareness, leadership authority and empowerment. The program will be formally evaluated in late 2012.

Performance management

The ACMA's performance management framework is designed to help it achieve organisational outcomes and outputs by managing employee performance, supporting employees in the workplace, and maintaining healthy and sustainable work practices. The framework specifically benefits employees by clarifying expectations, improving individual work performance, increasing skills and knowledge, and consequently enhancing career opportunities.

Individual performance and development plans identify key targets and expected results required to ensure that the objectives of both area business plans and the ACMA strategic plan are achieved. The framework is linked to the ACMA's planning cycle and allows for effective communication and formal feedback at regular intervals.

During the reporting period, the emphasis on performance management was continued with new initiatives and strategies introduced to increase the effectiveness of that framework. These included:

- > revising the five-tier rating system
- > introducing additional tools/information to assist staff in the process
- > collecting and analysing data relating to performance ratings across the agency.

These initiatives have been successful in improving the consistency and higher level reporting capabilities for performance management.

Creating Knowledge program

Designed specifically for ACMA staff, Creating Knowledge shares knowledge and expertise across the organisation and builds knowledge of the external environment. The current program consists of:

- > Conversations—prominent industry and academic speakers from the communications sector present their views on the current and emerging communications environment.
- > Technology Talks—engineering staff and invited guests deliver seminars on current and emerging communications technologies.

- > Section Snapshots and Section Snapshots 2.0—a seminar series providing a snapshot of what our diverse organisation is doing and achieving. Section Snapshots are delivered live and hosted online and Section Snapshots 2.0 is an online series.
- > Linking in Live—program introduced this year to support small group learning on specialised topics. During 2011–12, *Radiocommunications basics for non-technology staff* was successfully conducted.

Social networking tools, including web-based forums for discussion and debate on emerging communication issues, are used to extend event discussions and knowledge-sharing among staff.

During the reporting period, 13 separate Creating Knowledge events were held, with an average of 120 ACMA staff attending each event. The Section Snapshots 2.0 program had 437 online attendees during 2011–12.

To further keep staff up to date and informed, the ACMA intranet is being redesigned. Increased functionality will include interactive staff feedback and online staff recognition through the Pause for Applause initiative.

ACMA transformation program

The ACMA transformation program aims to transform the ACMA into a resilient organisation responsive to the numerous pressures for change it confronts.

The transformation of the ACMA has been structured around the development of 'muscles' of resilience. Each contributes to different forms of organisational capability in the following way:

- > physical—applying scarce resources to maximise leverage and outcomes
- > intellectual—generating alternatives and reflecting on legacy approaches
- > emotional—promoting self-awareness and considered responses
- > spiritual—nurturing genuine commitment to shared values, beliefs and goals.

Emphasising the agency's commitment to its ongoing transformational agenda, the ACMA held its most recent Transformational Leadership Forum (TLF) in May 2012. The TLF is an annual meeting of the agency leadership team that provides an opportunity for discussion, information-sharing, networking and strategic planning of key transformational initiatives for the agency.

The May 2012 TLF was an opportunity for the agency's leadership team to focus strategically on its future challenges, priorities and transformational initiatives. The design of the TLF also used concepts and learnings from the ACMA 2.0 Leadership program.

These events enable the ACMA leadership team to interact and contribute to a more collaborative approach that addresses the key challenges facing the ACMA and the sectors it regulates. This occurs in the context of an ever-changing convergent media and communications environment.

Client Service Charter

The Client Service Charter outlines the ACMA's goals and the broad range of services it provides. The charter provides advice on how clients can contact the ACMA, the service clients should expect, service standards and complaints procedures. It also reflects the ACMA's commitment to providing efficient, effective and relevant services delivered in an environment of mutual respect. See Table 38 for a summary of client service complaints and compliments in 2011–12.

Information management

Transformation agenda

The ACMA continued its delivery of transformation projects in 2011–12, migrating from a diverse set of bespoke applications, systems and standards to primarily leveraging commercial off-the-shelf technologies.

This unified information platform will position the ACMA well for the future through:

- > streamlining business processes and supporting systems
- > giving staff easy, consistent access to information and services
- > allowing efficient data collection and reporting
- > improving collaboration within and across the media and communications sector.

The seven key business transformation projects are shown in Table 39.

Table 38: Summary of client service complaints and compliments, 2011–12

Description	Total no. of complaints*	Total no. of compliments
Courtesy and respect	–	–
Service delivery of individual staff members	4	–
Response time to complaint	–	–
Accessible information	2	–

**Indicates total number of complaints received (not assessed against service commitments or standards in the Client Service Charter).*

The ACMA continues to integrate its applications with underpinning technologies such as its agency-wide customer relationship management system. By promoting a single view of stakeholder information, duplication of information is reduced and better services can be delivered.

The ACMA is adopting the Australian Government's preferred B2G authentication method of AusKey to provide e-business capabilities. This is another step towards simplifying whole-of-government interactions for businesses, with the first available use being the submission of broadcast licensing fees in 2012.

Technology platform

The major technology platform achievement for the ACMA in 2011–12 was the rollout of a new unified communications solution (Microsoft Lync).

As befits the communications regulator, the ACMA has always believed it should be an early adopter of leading-edge technologies. Unified communications has already yielded substantial benefits for the agency, including:

- > constant presence awareness for staff
- > ability to switch between email, voice calling, video calling and instant messaging (IM) with a single click

- > automatic capture of call times, IM threads and voicemail into Microsoft Outlook
- > remote screen-sharing and collaboration
- > true 'office at home' functionality for teleworkers.

Future enhancements will include the 'federation' of the ACMA with other government agencies using compatible systems to improve cross-agency awareness and collaboration capability.

Full cutover from the existing PABX system is scheduled for the second half of 2012, at which point the ACMA's telephony costs will also be substantially reduced.

Client services

Improving ICT client services was a key focus in 2011–12, with an almost 50 per cent year-on-year increase in client service satisfaction achieved. This was largely due to:

- > more efficient case management processes and quality measurement methods
- > the launch of a new ICT portal for service desk support and the publication of future change management initiatives
- > improved internal knowledgebase and troubleshooting databases.

Table 39: Key business transformation projects

Project	Benefits
Digital engagement	<ul style="list-style-type: none">> Improved recognition of the ACMA brand> Build self-sustaining customer relationships> Improved content distribution and reach among market segments> Modernisation of publishing and content production processes
Media investigations, complaints and enquiries (MICE)	<ul style="list-style-type: none">> Improved decision-making in regulatory enforcement and policy development> Improved transparency of stakeholder transactions with the ACMA> Improved business processes> Increased efficiency
Content assessment systems upgrade	<ul style="list-style-type: none">> Improved investigation and complaint processes> Improved emotional wellbeing of content classification staff> Improved information management and security controls implemented
Case management	<ul style="list-style-type: none">> Improved recognition of the ACMA brand> Build self-sustaining customer relationships> Improved content distribution and reach among market segments> Modernisation of publishing and content production processes
Project HELM (Holistic engineering and licensing management)	<ul style="list-style-type: none">> Reduced processing time for licensing applications> Reduced processing time for technical assessments> Enhanced customer experience
eBusiness portal	<ul style="list-style-type: none">> Common approach to B2G and P2G transactions> Enables use of AusKEY for B2G transactions, with future use of australia.gov.au for P2G transactions planned in future release
Project Enterprise (CFM systems integration)	<ul style="list-style-type: none">> Integrated system to manage billing for whole of ACMA

Future client service improvements will target:

- > improved processes and operational workflows, and more staff training
- > better alignment with business area requirements
- > concise, consistent systems and support documentation.
- > enhanced systems reporting and proactive problem management.

Information management

Further steps towards a single platform for record-keeping, document management and collaboration within the ACMA were taken in 2011–12, with the production release of the RecordPoint add-on solution to the corporate SharePoint platform. A smart design that separates metadata capture from the act of saving records will simplify record-keeping for all ACMA staff while remaining fully compliant with the requirements of the Archives Act.

This year also saw integration of core record-keeping into the business requirements of all new business applications. A simple Application Programming Interface was made available to capture records from any system into a central repository, with the first production deployment of this integrated approach due with the first release of the media investigations, complaints and enquiries (MICE) project later in 2012.

The same integrated record-keeping principles will be applied to future projects including the enterprise case management capability currently in development.

Corporate governance

Audit

During 2011–12, the ACMA's internal audit function was undertaken by Oakton until December 2011, and by Protiviti from January 2012. The strategic internal audit program continued to focus on whole-of-organisation and key corporate processes, particularly those associated with financial administration and information technology management.

For information about the ACMA's Audit Committee, see *Governance* on page 35 and *Audit Committee* in Appendix 2.

Risk management

The ACMA has commenced a review of its whole-of-agency risk management framework, focusing on developing an operational risk matrix and a fully integrated risk management process that is periodically reviewed to ensure the appropriate management of operational risk and strategic risks. The ACMA actively participates in Comcover's Benchmarking Risk Management Program.

The ACMA has reviewed its fraud control policy, guidelines and plan, and has the required fraud prevention, detection, investigation, reporting and data collection procedures in place to comply with the Commonwealth Fraud Control Guidelines.

The ACMA met all statutory reporting requirements required by the Australian National Audit Office (ANAO), the ACMA's insurer (Comcover) and the Attorney-General's Department for 2011–12.

Security

The ACMA progressed the transition of its security functions from the requirements set out in the *Australian Government Protective Security Manual 2005* to the Protective Security Policy Framework. All statutory reporting requirements were met in 2011–12.

The ACMA Security Advisory Committee continued to oversee agency security issues by implementing additional and improved policy and procedures.

Communications and engagement

The ACMA has evolved its communications planning processes and principles of stakeholder engagement to deliver targeted multi-channel communications solutions.

The aim has been to foster genuine ongoing engagement with stakeholders built around the principles of the Gov 2.0 policy. An important element has been to identify key stakeholder segments to help focus and prioritise communications efforts and resources more effectively.

Reflecting the shift from print to digital, the ACMA now directly targets relevant social networking groups like Twitter and Facebook, and relies less on mainstream traditional media channels. The ACMA has put considerable effort into developing strategies to effectively use these channels, conscious of the need to listen to stakeholders and to 'push out' messaging. The return on investment has been significant—at the end of the reporting period, the ACMA had generated 5,672 'likes' on Facebook and had 2,772 followers on Twitter.

Vital to the ACMA's continuing engagement with citizens, consumers and industry stakeholders is its ability to communicate effectively via its website. In 2011–12, the ACMA has undertaken a significant development program to build a new website, which will incorporate a sophisticated architecture and content management system, allowing highly effective and targeted engagement with stakeholders and the public. The design is based on delivering the best possible user experience. The new website will be launched in the next reporting period.

Financial management

Throughout 2011–12, the ACMA continued to improve the provision of financial management and related services to internal and external stakeholders. The ACMA met all of its statutory budgeting and reporting requirements and deadlines as set down by the Department of Finance and Deregulation and the ANAO.

Key achievements during the year included:

- > improving project reporting across the agency
- > reviewing and implementing changes to debtor management
- > implementing an enhanced project accounting system
- > implementing a revised strategic planning and budgeting process across the whole agency
- > undertaking a review of the ACMA's cost recovery activities
- > enhancing the revenue assurance framework including undertaking industry presentations.

The ACMA incurred an operating deficit in 2011–12 for employee leave costs, which were impacted by adjustments to the government bond rate. The ACMA had adequate reserves to cover this deficit.

The ACMA's financial statements for 2011–12 were prepared in accordance with section 57 of the FMA Act and the Finance Minister's Orders. The ANAO issued an unqualified audit opinion on the statements and notes (see Appendix 18).

Procurement and contract management

The ACMA continued efforts to strengthen its procurement and contract management capabilities. Appropriate controls are in place to ensure procurement activities are carried out in accordance with the FMA Act and the *Commonwealth Procurement Guidelines*. The ACMA uses a range of template documents to procure goods and services. The use of these templates, in alignment with internal policies, means that the ACMA has been successful in obtaining value-for-money procurement during 2011–12.

Grant programs

The ACMA does not administer any grant programs.

Asset management

The ACMA's asset management procedures and policies reflect relevant legislation and better practice. The major asset categories are land, buildings, leasehold improvements, plant, equipment, and software purchased and developed internally. Assets are valued at fair value. The carrying values and useful lives of assets are reviewed each year.

At the end of 2011–12, the ACMA had a net total value of \$42.495 million in assets. During the year, improvements were made to the processes of capitalising intangible assets. The capital management plan was further developed in 2011–12 to assist the ACMA in its capital planning requirements.

Property management

The ACMA property portfolio includes leased, licensed and Commonwealth-owned premises ranging from office accommodation in the major capital cities to small radio monitoring sites at remote locations. The ACMA continues to review its office accommodation in accordance with the *Commonwealth Property Management Guidelines* and operational requirements.

The ACMA has secured new Canberra office accommodation presently under construction that will become available in time to move to the new building when the current lease expires in August 2013. The new building in the Belconnen CBD precinct will be suited to meet the ACMA's business needs well into the future.

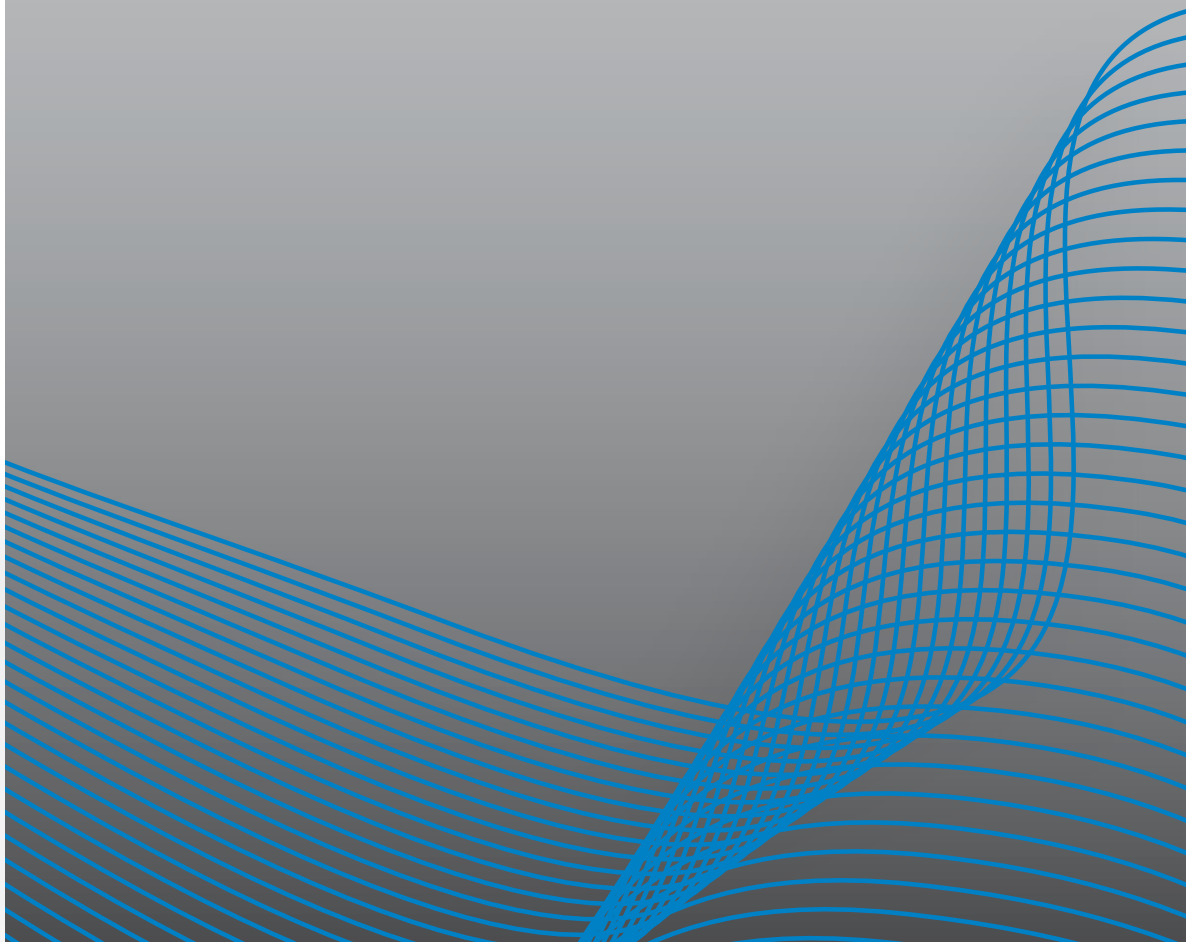
The office will contain a modern fit-out and be designed with sustainable solutions to achieve a 4.5 star NABERS energy rating, in line with the green lease initiative issued by the Department of Climate Change and Energy Efficiency. The design utilises natural light and sunshine with the introduction of daylight harvesting to reduce power usage.

Ecologically sustainable development and environmental performance

The ACMA has an ongoing commitment to reducing the organisation's impact on the environment through various measures including the procurement of green power. The ACMA has an ongoing commitment to decrease energy consumption by implementing energy efficient office fitouts that achieve a 4.5 star NABERS energy rating in line with government policy. The agency's cleaning contracts include requirements for use of environmentally friendly cleaning products and office waste is separated into recyclable and non-recyclable components.

The ACMA accords with the relevant ecologically sustainable development and environmental requirements, and reports its performance annually through the Government Greenhouse Energy Reporting requests, the National Environment Protection Measures reporting requirements and the Australian Packaging Covenant reporting requirements. It also provides information to the Energy and Environment Survey undertaken by the Australian Bureau of Statistics.

Appendixes



Appendix 1:

ACMA offices

Canberra

Purple Building, Benjamin Offices
Chan Street, Belconnen
PO Box 78, Belconnen ACT 2616
T +61 2 6219 5555
F +61 2 6219 5353

Melbourne

Level 44, Melbourne Central Tower
360 Elizabeth Street, Melbourne
PO Box 13112 Law Courts, Melbourne VIC 8010
T +61 3 9963 6800
F +61 3 9963 6899

Sydney

Level 5, The Bay Centre
65 Pirrama Road, Pyrmont
PO Box Q500, Queen Victoria Building NSW 1230
T +61 2 9334 7700, 1800 226 667
F +61 2 9334 7799

Brisbane

424 Upper Roma Street
Brisbane Qld 4000
PO Box 288, Red Hill Qld 4059
T +61 7 3247 7111
F +61 7 3247 7100

Parramatta

Level 3, 100 George Street
Parramatta NSW 2150
PO Box Q500, Queen Victoria Building NSW 1230
T +61 2 9334 7700
F +61 2 9334 7733

Field Operations

PO Box 13112 Law Courts, Melbourne VIC 8010
T 1300 850 115
F +61 2 6219 5346

Appendix 2:

ACMA committees, memberships and attendance at meetings

The following tables provide information about ACMA committees, memberships and attendance at meetings in 2011–12.

Authority meetings

At 30 June 2012, the Authority comprised the Chairman, the Deputy Chair, one full-time Member, three part-time Members and one Associate Member.

The Authority met 23 times in 2011–12.

Table 40: Attendance by Members at Authority meetings, 2011–12

Authority Member	No. of meetings attended
Chris Chapman, Chairman	22
Richard Bean, Deputy Chair	23
Chris Cheah, full-time Member	19
Reg Coutts, part-time Member	22
Louise Benjamin, part-time Member	23
Hugh Marks, part-time Member	21
Rod Shogren, part-time Member	2
Jennifer McNeill, part-time Member	0
Graeme Samuel, Associate Member	1
Rod Sims, Associate Member	3

Executive Group meetings

The ACMA Executive Group functions as a senior oversight committee for management decisions. The Executive Group assists the Chairman by providing counsel on issues of high-level corporate or strategic significance to the agency.

Table 41: Attendance at Executive Group meetings, 2011–12

Member of Executive Group	No. of meetings attended
Chris Chapman, Chairman	9
Richard Bean, Deputy Chair	9
Chris Cheah, full-time Member	7
Dianne Carlos, General Manager Corporate Services and Coordination (left the ACMA in November)	6
Carsten Larsen, Acting General Manager Corporate Services and Coordination (December–June)	4
Giles Tanner, General Manager Digital Transition	9
Maureen Cahill, General Manager Communications Infrastructure	9
Brendan Byrne, General Manager Legal Services	9
Jennifer McNeill, General Manager Content, Consumer and Citizen	9
Andree Wright, General Manager Digital Economy	9

Audit Committee

The Audit Committee is an integral part of the ACMA's corporate governance framework, approving and overseeing delivery of the internal audit program—the Certificate of Compliance—and reviewing the ACMA's financial statements. The Audit Committee coordinates internal and external audit activities in addition to overseeing the risk management framework and the implementation of fraud control policies.

In its capacity as an advisory committee to the ACMA Chairman, the Audit Committee met four times in 2011–12.

Table 42: Attendance by Members at Audit Committee, 2011–12

Members	No. of meetings attended
Mr Richard Bean (from November 2011)	3
Michael Harris, independent Audit Committee Member	4
Vince Humphries, ACMA, Audit Committee Member (from November 2011)	3
Andree Wright, ACMA Audit Committee Member (to August 2011)	1
Fay Holthuyzen, independent Audit Committee Member	4
David Brumfield, ACMA Audit Committee Member	3

Membership of advisory and consultative bodies

Consumer Consultative Forum (CCF)

- > Australian Communications and Media Authority (Chair)
- > Australian Competition and Consumer Commission
- > Australian Mobile Telecommunications Association
- > Communications Alliance
- > Department of Broadband, Communications and the Digital Economy
- > Internet Industry Association
- > Telecommunications Industry Ombudsman

Consumer representatives

- > Stella Avramopoulos, Kildonan Uniting Care
- > Teresa Corbin, Australian Communications Consumer Action Network
- > Anthony Gibson, NSW Farmers Association
- > Nicole Lawder, Homelessness Australia
- > Heron Loban, James Cook University
- > Holly Raiche, Internet Society of Australia
- > Professor Julian Thomas, Swinburne University of Technology

Emergency Call Services Advisory Committee (ECSAC)

- > Australian Communications and Media Authority (Chair)
- > AAPT Ltd
- > Attorney-General's Department
- > Australian Capital Territory Emergency Services Authority
- > Australian Communication Exchange
- > Department of Broadband, Communications and the Digital Economy
- > Department of Emergency Services, Queensland
- > Emergency Services Telecommunications Authority, Victoria
- > Hutchison Telecommunications (Australia) Ltd
- > Internet Industry Association
- > National Emergency Communications Working Group
- > New South Wales Police
- > Fire and Rescue NSW
- > Northern Territory Police, Fire and Emergency Services
- > Singtel Optus Pty Ltd
- > South Australia Ambulance Service
- > St John Ambulance, Western Australia
- > Telstra Corporation
- > Victoria Police
- > Vodafone Pty Ltd

Numbering Advisory Committee (NAC)

- > Australian Communications and Media Authority
- > Australian Communications Consumer Action Network Ltd
- > Australian Competition and Consumer Commission
- > Australian Electrical and Electronic Manufacturers' Association Ltd
- > Australian Information Industry Association Ltd
- > Australian Mobile Telecommunications Association Ltd
- > Australian Phone Word Association Ltd
- > Australian Telecommunications Users Group Ltd
- > Communications Alliance Ltd
- > Department of Broadband, Communications and the Digital Economy
- > PowerTel Ltd
- > SingTel Optus Pty Ltd
- > Small Enterprise Telecommunications Centre Ltd
- > Telstra Corporation Ltd
- > Vodafone Hutchison Australia Pty Ltd
- > Observers
- > Engin Ltd
- > Industry Number Management Services
- > Primus Telecommunications
- > Verizon Australia Pty Ltd

Technical Advisory Group

- > Australian Communications and Media Authority (Chair)
- > Australian Competition and Consumer Commission
- > Australian Industry Group
- > Australian Mobile Telecommunications Association
- > Australian Telecommunications Users Group
- > Broadcasting Industry Technical Advisory Group
- > Consumer Electronics Suppliers' Association
- > Communications Alliance Ltd
- > Department of Broadband, Communications and the Digital Economy
- > Energy Networks Association
- > Graeme King
- > National Association of Testing Authorities
- > National E-Health Transition Authority
- > Standards Australia

New South Wales Submarine Cable Protection Zone Advisory Committee

- > Australian Communications and Media Authority (Chair)
- > Commercial fisher
- > Department of the Environment, Water, Heritage and the Arts
- > Department of Premier and Cabinet (NSW)
- > Sydney Ports
- > Australian Shipowners Association
- > Australia–Japan Cable
- > Southern Cross Cables
- > Australian Telecommunications Users Group
- > Advisory Council of Recreational Fishing
- > Commercial dive operator

Western Australia Submarine Cable Protection Zone Advisory Committee

- > Australian Communications and Media Authority (Chair)
- > Western Australian Fishing Industry Council
- > Australian Petroleum Production and Exploration Association
- > Department of the Environment, Water, Heritage and the Arts
- > Department of Premier and Cabinet (WA)
- > Port of Fremantle
- > Australian Shipowners Association
- > REACH
- > Recfishwest
- > Australian Telecommunications Users Group
- > Commercial dive operator

Radiocommunications Consultative Committee (RCC)

Chairman

- > Full-time Member, Australian Communications and Media Authority

Members

- > National Coordinating Committee for Government Radiocommunications
- > Department of Defence
- > Department of Broadband, Communications and the Digital Economy
- > Australian Mobile Telecommunications Association
- > Space Industry Association of Australia
- > Australian Radio Communications Industry Group
- > Communications Alliance Ltd
- > Commercial Radio Australia
- > Bureau of Meteorology
- > Australian Subscription Television and Radio Association
- > Free TV Australia

Appendix 3:

Staffing information

Table 43: Staff profiles by employment type, gender and location, 2011–12

Classification		ONGOING										NON-ONGOING										Total	
		Full-time					Part-time					Full-time					Part-time						
		Male	Female	Male	Female	Total	Male	Female	Male	Female	Total	Male	Female	Male	Female	Total	Male	Female	Total				
01.07.11	30.06.12	01.07.11	30.06.12	01.07.11	30.06.12	01.07.11	30.06.12	01.07.11	30.06.12	01.07.11	30.06.12	01.07.11	30.06.12	01.07.11	30.06.12	01.07.11	30.06.12	01.07.11	30.06.12	01.07.11	30.06.12		
SES 2	2	2	2	2								1								5	4		
SES 1	9	9	6	5								1	1							16	15		
EL2	40	39	22	22	3	1	13	11				3	3	1	1	1			1	83	78		
Principal Lawyer	5	6	6	6			2	2				1				1				15	14		
EL1	115	105	65	64	4	3	29	23				3	2	4	2		1			220	201		
Senior Lawyer	2	2	8	6				2					1							10	11		
ACMA 6	74	75	77	77	2	2	16	15				2	7	2	8				1	173	185		
Lawyer																				0	0		
ACMA 5	29	23	33	20		1	10	7				3	1	6	4		3		1	81	60		
ACMA 4	11	9	22	21	1	2	9	7				3	3	1	2	1				48	44		
ACMA 3	1	1	2	1			1	1												4	3		
ACMA 2												2	1	1		2		1		4	2		
Graduate															1					0	1		
ACMA 1																				0	0		
TOTAL	288	271	243	224	10	9	80	68				16	20	16	18	5	4	1	4	659	618		

CANBERRA															
ONGOING							NON-ONGOING								
Full-time		Part-time		Full-time		Part-time		Full-time		Part-time		Full-time		Part-time	
Classification	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Total		
	01.07.11	30.06.12	01.07.11	30.06.12	01.07.11	30.06.12	01.07.11	30.06.12	01.07.11	30.06.12	01.07.11	30.06.12	01.07.11	30.06.12	01.07.11
SES 2			2	2						1					3
SES 1	6	6													6
EL2	20	19	6	7	1		1	1					1		32
Principal Lawyer	1	1	1	1											2
EL1	45	41	17	16	2	1	2	1		2	1				67
Senior Lawyer			1	2											1
ACMA 6	24	23	23	22			4	6	1	4	1	1			53
Lawyer															0
ACMA 5	11	9	15	10			1		2	1	3	2			32
ACMA 4	4	5	14	13			7	6	2	1	1	1	1		29
ACMA 3			1	1							1				2
ACMA 2										2	1		2		3
Graduate															0
ACMA 1															0
TOTAL	111	104	80	74	3	1	18	15	6	11	8	5	3	0	229
															211

MELBOURNE															
ONGOING								NON-ONGOING							
Classification	Full-time		Part-time		Part-time			Full-time		Part-time		Part-time		Part-time	
	Male	Female	Male	Female	Male	Female		Male	Female	Male	Female	Male	Female	Male	Total
	01.07.11	30.06.12	01.07.11	30.06.12	01.07.11	30.06.12	01.07.11	30.06.12	01.07.11	30.06.12	01.07.11	30.06.12	01.07.11	30.06.12	30.06.12
SES 2														0	0
SES 1	3	3	2	3										5	6
EL2	12	12	6	6	2	1	3	3	1	1	1			26	23
Principal Lawyer	4	4												4	4
EL1	50	45	26	26	1	2	16	13	2	1	2	2		1	97
Senior Lawyer	1	1	6	2				2						7	5
ACMA 6	28	29	32	31		1	10	7				3		1	70
Lawyer														0	0
ACMA 5	11	9	14	9			8	6	1			1		36	26
ACMA 4	1	1	3	5			2	1		1				6	8
ACMA 3	1	1	1											2	1
ACMA 2													1	1	0
Graduate														0	0
ACMA 1														0	0
TOTAL	111	105	90	82	3	4	39	32	4	3	5	6	1	0	254
															235

REGIONS														
ONGOING						NON-ONGOING								
Classification	Full-time		Part-time		Part-time		Full-time		Part-time		Part-time		Total	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
	01.07.11	30.06.12	01.07.11	30.06.12	01.07.11	30.06.12	01.07.11	30.06.12	01.07.11	30.06.12	01.07.11	30.06.12	01.07.11	30.06.12
SES 2													0	0
SES 1													0	0
EL2		1			1	1							1	2
Principal Lawyer													0	0
EL1	3	2											3	2
Senior Lawyer													0	0
ACMA 6	4	4											4	4
Lawyer													0	0
ACMA 5	3	1				1				3			3	5
ACMA 4	3	2		1									4	3
ACMA 3													0	0
ACMA 2													0	0
Graduate													0	0
ACMA 1													0	0
TOTAL	13	10	1	1	0	1	1	1	0	0	0	3	0	15
														16

Table 44: Salary ranges under ACMA Enterprise Agreement 2011–2014

ACMA local designation	Equivalent APS classification	5 Dec 2011 (\$)
ACMA 1.1	APS Level 1	42,681
ACMA 1.2		45,639
ACMA 2.1	APS Level 2	48,021
ACMA 2.2		51,390
ACMA 3.1	APS Level 3	53,229
ACMA 3.2		54,615
ACMA 3.3		55,999
ACMA 3.4		57,614
ACMA 4.1	APS Level 4	59,326
ACMA 4.2		61,214
ACMA 4.3		62,805
ACMA 4.4		64,542
ACMA 5.1	APS Level 5	66,170
ACMA 5.2		68,248
ACMA 5.3		70,266
ACMA 5.4		71,469
ACMA 6.1	APS Level 6	73,247
ACMA 6.2		75,254
ACMA 6.3		79,035
ACMA 6.4		82,439
ACMA EL1.1	Executive Level 1	91,514
ACMA EL1.2		96,267
ACMA EL1.3		100,098
ACMA EL1.4* (Restricted)		112,583
ACMA EL2.1	Executive Level 2	110,782
ACMA EL2.2		118,212
ACMA EL2.3		125,622
ACMA EL2.4		129,826
ACMA EL2.5** (Restricted)		132,885
Lawyer/Legal Officer 1.1	APS Level 5	68,248
Lawyer/Legal Officer 1.2	APS Level 5	71,469
Lawyer/Legal Officer 1.3	APS Level 6	75,254
Lawyer/Legal Officer 1.4	APS Level 6	82,439
Snr Lawyer/Legal Officer 2.1	Exec Level 1	91,514
Snr Lawyer/Legal Officer 2.2	Exec Level 1	100,098
Snr Lawyer/Legal Officer 2.3	Exec Level 1	112,583
Principal Lawyer 3.1	Exec Level 2	124,426
Principal Lawyer 3.2	Exec Level 2	129,826
Tech Trainee 1	Trainee APS (Technical)	42,681
Tech Trainee 2	Trainee APS (Technical)	45,639
Tech Trainee 3	Trainee APS (Technical)	48,021
Tech Trainee 4	Trainee APS (Technical)	51,390
Graduate 1.1	Graduate APS	54,615

Graduate 1.2	Graduate APS	57,614
Graduate 1.3***	APS Level 4	59,325
*Restricted to employees locally designated as Snr Lawyer/Legal Officer.		
**Restricted to employees 'grandfathered' from ABA/ACA on this paypoint.		
***Upon successful completion of the graduate year, a graduate will be allocated an ACMA 3 (APS Level 3) local designation and immediately advanced to ACMA 4 (APS Level 4).		

Abbreviations used in this appendix—SES: Senior Executive Service; EL: Executive Level;
APS: Australian Public Service.

Appendix 4:

Licensing and licence allocations

Table 45: Carrier licences, 2011–12

No.	Carrier licence granted to	Date granted
311	Macquarie Telecom Pty Ltd	21 July 2011
312	East West Line Parks Ltd	14 September 2011
313	Ausnet Connect Pty Ltd	20 September 2011
314	Ourlink Pty Ltd	10 October 2011
315	My Telecom Holdings Pty Ltd	10 January 2012
316	Startech Australia Pty Ltd	13 February 2012
317	Origin Net Pty Ltd	13 February 2012
318	Connectivity I.T. Pty Ltd	13 February 2012
319	Satellite Communications Australia Pty Ltd	13 February 2012
320	Arowana Pty Ltd	27 February 2012
321	Ovee Pty Ltd	27 February 2012
322	Reddenet Pty Ltd	27 April 2012
323	TUPS Company Pty Ltd	25 May 2012
324	RCOM International Pty Ltd	25 May 2012
325	Freenet Pty Ltd	26 June 2012

Table 46: Nominated carrier declarations, 2011–12

No.	Nominated carrier declared	Network unit(s)	Date made
121	OnAir Switzerland Sarl	Designated radiocommunications facilities owned by QF ECA A380 2010 No. 2 Pty Ltd, ACN 145 079 205, located onboard Qantas Airways aircraft.	27 February 2012
122	OnAir Switzerland Sarl	Designated radiocommunications facilities owned by QF ECA A380 2010 No. 4 Pty Ltd, ACN 145 079 054, located onboard Qantas Airways aircraft.	27 February 2012

Table 47: Retransmission services, 2011–12

Radio/TV	Area	State	Applicant	Frequency (MHz)/channel	Date of effect	Date of expiry
TV	Toowoomba East	Qld	RBA Holdings Pty Ltd	802.5/67	14/07/2011	13/07/2012
TV	Toowoomba South	Qld	RBA Holdings Pty Ltd	802.5/67	14/07/2011	13/07/2012
TV	Eastgrove	NSW	RBA Holdings Pty Ltd	557.5/32	05/12/2011	19/10/2012
TV	Gundagai	NSW	RBA Holdings Pty Ltd	676.5/49	05/12/2011	19/10/2012
TV	Harden	NSW	RBA Holdings Pty Ltd	795.5/66	05/12/2011	19/10/2012
TV	Dalmeny	NSW	RBA Holdings Pty Ltd	725.5/56	30/01/2012	29/01/2013
TV	Eulo	Qld	Paroo Shire Council	641.5/44	05/03/2012	04/03/2013
TV	Morven	Qld	Murweh Shire Council	634.5/43	08/02/2012	07/02/2013
TV	Richmond	Qld	Richmond Shire Council	655.5/46	21/05/2012	20/05/2013
TV	Flametree/ Jubilee Pocket	Qld	RBA Holdings Pty Ltd	753.5/60	14/07/2011	13/07/2012
TV	Mt Cowley IBL	Vic.	RBA Holdings Pty Ltd	802.5/67	16/07/2011	15/07/2012
TV	Yowah	Qld	Paroo Shire Council	648.5/45	05/03/2012	04/03/2013
Radio	DeGrussa Mine	WA	Sandfire Resources NL	102.9	17/05/2012	16/05/2013
TV	Bayu/Undan	NT	Conocophillips Australia Pty Ltd	634.5/43	24/02/2012	22/02/2013
TV	Mount Kembla	NSW	RBA Holdings Pty Ltd	606.5/39	05/12/2011	19/10/2012
TV	Jericho	Qld	Barcaldine Regional Council	648.5/45	08/02/2012	07/02/2013
Radio	Grafton/ Kempsey	NSW	Australian Broadcasting Corporation	90.7	07/03/2012	06/03/2013
TV	Bedourie	Qld	Diamantina Shire Council	627.5/42	04/06/2012	03/06/2013
Radio	Eidsvold	Qld	North Burnett Regional Council	104.3	29/02/2012	28/02/2013
TV	Yarraman	Qld	RBA Holdings Pty Ltd	781.5/64	14/07/2011	13/07/2012
TV	Laverton	WA	Shire of Laverton	655.5/46	04/06/2012	03/06/2013
TV	Rainbow Beach	Qld	RBA Holdings Pty Ltd	795.5/66	14/07/2011	13/07/2012
Analog TV	Thursday Island	Qld	Torres Shire Council	711.5/54	30/09/2011	29/09/2012
TV	West Wyalong	NSW	RBA Holdings Pty Ltd	788.5/65	30/01/2012	29/01/2013
TV	Eromanga	Qld	Quilpie Shire Council	641.5/44	11/05/2012	10/05/2013
TV	Mount Morgan	Qld	RBA Holdings Pty Ltd	788.5/65	14/07/2011	13/07/2012
Radio	Newlands Mine	Qld	Newlands Coal Pty Ltd	107.3	29/09/2011	28/09/2012
TV	Carmila	Qld	Isaac Regional Council	676.5/49	29/03/2012	27/03/2013
TV	Burra IBL	SA	Spencer Gulf Telecasters Pty Ltd	683.5/50	01/11/2011	03/10/2012
TV	Eromanga	Qld	Quilpie Shire Council	613.5/40	11/05/2012	10/05/2013
TV	Mossman South	Qld	Cairns Regional Council	809.5/68	02/09/2011	01/09/2012
Radio	Hope Downs 4 Mine	WA	Pilbara Iron Company (Services) Pty Ltd	94.3	10/11/2011	09/11/2012
TV	Walwa/Jingellic	NSW	Tumbarumba Shire Council	571.5/34	29/05/2012	18/05/2013
Radio	Speewah	Qld	Tablelands Regional Council	94.3	10/11/2011	09/11/2012
TV	Richmond	Qld	Richmond Shire Council	613.5/40	21/05/2012	20/05/2013
TV	Moonford	Qld	North Burnett Regional Council	655.5/46	05/10/2011	04/10/2012
TV	Bungendore	NSW	RBA Holdings Pty Ltd	655.5/46	05/12/2011	19/10/2012
TV	Wonga Beach	Qld	RBA Holdings Pty Ltd	788.5/65	14/07/2011	13/07/2012

TV	Moura	Qld	RBA Holdings Pty Ltd	683.5/50	14/07/2011	13/07/2012
TV	Cootamundra	NSW	RBA Holdings Pty Ltd	809.5/68	05/12/2011	19/10/2012
TV	St Lawrence	Qld	Isaac Regional Council	641.5/44	02/02/2012	01/02/2013
TV	Alpha	Qld	Barcaldine Regional Council	655.5/46	08/02/2012	07/02/2013
TV	Waubra	Vic.	Waubra Wind Farm Community Fund Inc.	718.5/55	21/04/2012	20/04/2013
TV	Flametree/ Jubilee Pocket	Qld	RBA Holdings Pty Ltd	795.5/66	14/07/2011	13/07/2012
TV	Cardwell	Qld	Cassowary Coast Regional Council	669.5/48	06/12/2011	05/12/2012
TV	Muttaborra	Qld	Barcaldine Regional Council	655.5/46	08/02/2012	07/02/2013
TV	Wonga Beach	Qld	RBA Holdings Pty Ltd	725.5/56	14/07/2011	13/07/2012
TV	Crows Nest	Qld	RBA Holdings Pty Ltd	725.5/56	14/07/2011	13/07/2012
TV	Harden	NSW	RBA Holdings Pty Ltd	753.5/60	05/12/2011	19/10/2012
TV	Jundah	Qld	Barcoo Shire Council	648.5/45	03/02/2012	02/02/2013
TV	Richmond	Qld	Richmond Shire Council	641.5/44	21/05/2012	20/05/2013
TV	Talbingo	NSW	Tumut Shire Council	620.5/41	29/05/2012	08/05/2013
TV	Bayu/ Undan	NT	Conocophillips Australia Pty Ltd	620.5/41	24/02/2012	22/02/2013
TV	Wellington	NSW	RBA Holdings Pty Ltd	676.5/49	05/12/2011	19/10/2012
Radio	Wollombi Mine	Qld	Newlands Coal Pty Ltd	103.3	29/09/2011	28/09/2012
TV	Grenfell	NSW	RBA Holdings Pty Ltd	788.5/65	05/12/2011	19/10/2012
TV	Daintree Village	Qld	Cairns Regional Council	613.5/40	31/05/2012	30/05/2013
TV	Bedourie	Qld	Diamantina Shire Council	641.5/44	04/06/2012	03/06/2013
TV	Wonga Beach	Qld	RBA Holdings Pty Ltd	767.5/62	14/07/2011	13/07/2012
TV	Conder	ACT	RBA Holdings Pty Ltd	599.5/38	05/12/2011	19/10/2012
TV	Cootamundra	NSW	RBA Holdings Pty Ltd	746.5/59	05/12/2011	19/10/2012
TV	Eugowra	NSW	RBA Holdings Pty Ltd	718.5/55	05/12/2011	19/10/2012
TV	St Lawrence	Qld	Isaac Regional Council	613.5/40	02/02/2012	01/02/2013
TV	Nhulunbuy	NT	Nhulunbuy Corporation Ltd	613.5/40	22/05/2012	21/05/2013
TV	Nhulunbuy	NT	Nhulunbuy Corporation Ltd	641.5/44	22/05/2012	21/05/2013
TV	Sarina Beaches	Qld	RBA Holdings Pty Ltd	648.5/45	14/07/2011	13/07/2012
TV	Narrandera	NSW	RBA Holdings Pty Ltd	599.5/38	05/12/2011	19/10/2012
TV	Moonford	Qld	North Burnett Regional Council	669.5/48	05/10/2011	04/10/2012
TV	Carmila	Qld	Isaac Regional Council	683.5/50	29/03/2012	27/03/2013
TV	Aramac	Qld	Barcaldine Regional Council	662.5/47	08/02/2012	07/02/2013
TV	Wonga Beach	Qld	RBA Holdings Pty Ltd	809.5/68	14/07/2011	13/07/2012
TV	Springsure	Qld	Central Highlands Regional Council	711.5/54	03/02/2012	02/02/2013
TV	Eugowra	NSW	RBA Holdings Pty Ltd	739.5/58	05/12/2011	19/10/2012
TV	St Lawrence	Qld	Isaac Regional Council	627.5/42	02/02/2012	01/02/2013
TV	Moura	Qld	RBA Holdings Pty Ltd	669.5/48	14/07/2011	13/07/2012
TV	Mt Cowley IBL	Vic.	RBA Holdings Pty Ltd	816.5/69	16/07/2011	15/07/2012
TV	Mudgee Town	NSW	RBA Holdings Pty Ltd	683.5/50	05/12/2011	19/10/2012
Radio	Junee	NSW	Junee Shire Council	99.5	16/02/2012	15/02/2013
TV	Jericho	Qld	Barcaldine Regional Council	662.5/47	08/02/2012	07/02/2013

TV	Alpha	Qld	Barcaldine Regional Council	669.5/48	08/02/2012	07/02/2013
TV	Birdsville	Qld	Diamantina Shire Council	641.5/44	04/06/2012	03/06/2013
TV	Bayu/ Undan	NT	Conocophillips Australia Pty Ltd	641.5/44	24/02/2012	22/02/2013
TV	Junee	NSW	RBA Holdings Pty Ltd	571.5/34	05/12/2011	19/10/2012
TV	Junee	NSW	RBA Holdings Pty Ltd	599.5/38	05/12/2011	19/10/2012
TV	Bowen Environs IBL	Qld	WIN Television Qld Pty Ltd	627.5/42	15/09/2011	14/09/2012
TV	Eidsvold	Qld	North Burnett Regional Council	746.5/59	05/10/2011	04/10/2012
TV	Windorah	Qld	Barcoo Shire Council	641.5/44	03/02/2012	02/02/2013
Radio	Badu Island	Qld	Torres Strait Island Regional Council	96.9	01/06/2012	31/05/2013
TV	Waubra	Vic.	Waubra Wind Farm Community Fund Inc.	704.5/53	21/04/2012	20/04/2013
TV	Mt Foster IBL	NSW	RBA Holdings Pty Ltd	676.5/49	05/12/2011	19/10/2012
TV	Augathella	Qld	Murweh Shire Council	655.5/46	08/02/2012	07/02/2013
TV	Goldsborough Valley	Qld	RBA Holdings Pty Ltd	578.5/35	14/07/2011	13/07/2012
TV	Lorne	Vic.	RBA Holdings Pty Ltd	816.5/69	16/07/2011	15/07/2012
Radio	Spring Gully Gasfield	Qld	Australia Pacific LNG Pty Ltd	105.1	19/01/2012	18/01/2013
TV	Yarraman	Qld	RBA Holdings Pty Ltd	802.5/67	14/07/2011	13/07/2012
TV	Conder	ACT	RBA Holdings Pty Ltd	578.5/35	05/12/2011	19/10/2012
TV	Aramac	Qld	Barcaldine Regional Council	620.5/41	08/02/2012	07/02/2013
TV	West Wyalong	NSW	RBA Holdings Pty Ltd	809.5/68	30/01/2012	29/01/2013
TV	Mt Foster IBL	NSW	RBA Holdings Pty Ltd	683.5/50	05/12/2011	19/10/2012
TV	Wongan Hills Town	WA	Shire of Wongan Ballidu	767.5/62	26/04/2012	23/04/2013
TV	Windorah	Qld	Barcoo Shire Council	627.5/42	03/02/2012	02/02/2013
Radio	Clermont Mine	Qld	Rio Tinto Coal Australia Pty Ltd	94.3	21/06/2012	20/06/2013
TV	Waubra	Vic.	Waubra Wind Farm Community Fund Inc.	732.5/57	21/04/2012	20/04/2013
TV	Carmila	Qld	Isaac Regional Council	655.5/46	02/02/2012	01/02/2013
TV	Narrandera	NSW	RBA Holdings Pty Ltd	606.5/39	05/12/2011	19/10/2012
TV	Wellington	NSW	RBA Holdings Pty Ltd	683.5/50	05/12/2011	19/10/2012
TV	Oberon	NSW	RBA Holdings Pty Ltd	753.5/60	05/12/2011	19/10/2012
TV	St Lawrence	Qld	Isaac Regional Council	620.5/41	02/02/2012	01/02/2013
TV	Tin Can Bay	Qld	RBA Holdings Pty Ltd	732.5/57	14/07/2011	13/07/2012
TV	Rainbow Beach	Qld	RBA Holdings Pty Ltd	816.5/69	14/07/2011	13/07/2012
TV	Peak Hill	NSW	RBA Holdings Pty Ltd	676.5/49	05/12/2011	19/10/2012
TV	Gundagai	NSW	RBA Holdings Pty Ltd	599.5/38	05/12/2011	19/10/2012
TV	Quilpie	Qld	Quilpie Shire Council	641.5/44	18/04/2012	17/04/2013
TV	Tumbarumba	NSW	RBA Holdings Pty Ltd	641.5/44	14/06/2012	13/06/2013
TV	Toowoomba South	Qld	RBA Holdings Pty Ltd	760.5/61	14/07/2011	13/07/2012
TV	Carmila	Qld	Isaac Regional Council	669.5/48	29/03/2012	27/03/2013
TV	Stonehenge	Qld	Barcoo Shire Council	655.5/46	03/02/2012	02/02/2013
Radio	Mount Buller	Vic.	W & L Phillips Pty Ltd	95.7	26/06/2012	25/06/2013
TV	Eastgrove	NSW	RBA Holdings Pty Ltd	529.5/28	05/12/2011	19/10/2012

TV	Laverton	WA	Shire of Laverton	662.5/47	04/06/2012	03/06/2013
TV	Rainbow Beach	Qld	RBA Holdings Pty Ltd	732.5/57	14/07/2011	13/07/2012
TV	Narooma Town	NSW	RBA Holdings Pty Ltd	606.5/39	30/01/2012	29/01/2013
Radio	Tumby Bay	SA	District Council of Tumby Bay	100.3	09/09/2011	08/09/2012
TV	Gunning	NSW	RBA Holdings Pty Ltd	802.5/67	05/12/2011	19/10/2012
TV	St Lawrence	Qld	Isaac Regional Council	634.5/43	02/02/2012	01/02/2013
TV	Junee	NSW	RBA Holdings Pty Ltd	585.5/36	05/12/2011	19/10/2012
TV	Tumbarumba	NSW	RBA Holdings Pty Ltd	634.5/43	14/06/2012	13/06/2013
TV	Waubra	Vic.	Waubra Wind Farm Community Fund Inc.	725.5/56	21/04/2012	20/04/2013
TV	Nanango	Qld	RBA Holdings Pty Ltd	788.5/65	14/07/2011	13/07/2012
TV	Burra IBL	SA	Spencer Gulf Telecasters Pty Ltd	669.5/48	24/04/2012	26/06/2013
TV	Bancroft	Qld	North Burnett Regional Council	599.5/38	05/10/2011	04/10/2012
TV	Hillston	NSW	RBA Holdings Pty Ltd	627.5/42	30/01/2012	29/01/2013
TV	Jericho	Qld	Barcaldine Regional Council	620.5/41	08/02/2012	07/02/2013
TV	Richmond	Qld	Richmond Shire Council	627.5/42	21/05/2012	20/05/2013
TV	Mudgee Town	NSW	RBA Holdings Pty Ltd	662.5/47	05/12/2011	19/10/2012
TV	Bancroft	Qld	North Burnett Regional Council	585.5/36	05/10/2011	04/10/2012
TV	Cooloolo Cove	Qld	RBA Holdings Pty Ltd	774.5/63	14/07/2011	13/07/2012
TV	Mudgee Town	NSW	RBA Holdings Pty Ltd	690.5/51	05/12/2011	19/10/2012
TV	Leonora	WA	Shire of Leonora	620.5/41	19/04/2012	18/04/2013
TV	Leonora	WA	Shire of Leonora	641.5/44	19/04/2012	18/04/2013
TV	Yowah	Qld	Paroo Shire Council	676.5/49	05/03/2012	04/03/2013
Radio	Hope Downs 4 Mine	WA	Pilbara Iron Company (Services) Pty Ltd	99.1	10/11/2011	09/11/2012
TV	Windorah	Qld	Barcoo Shire Council	669.5/48	03/02/2012	02/02/2013
TV	Moura	Qld	Australian Broadcasting Corporation	704.5/53	14/07/2011	13/07/2012
TV	Flametree/ Jubilee Pocket	Qld	RBA Holdings Pty Ltd	732.5/57	14/07/2011	13/07/2012
TV	Yowah	Qld	Paroo Shire Council	634.5/43	05/03/2012	04/03/2013
TV	Narrandera	NSW	RBA Holdings Pty Ltd	571.5/34	05/12/2011	19/10/2012
TV	Tara	Qld	Channel Seven Queensland Pty Ltd	746.5/59	10/02/2012	09/02/2013
TV	Bungendore	NSW	RBA Holdings Pty Ltd	676.5/49	05/12/2011	19/10/2012
TV	Conder	ACT	RBA Holdings Pty Ltd	592.5/37	05/12/2011	19/10/2012
TV	Harden	NSW	RBA Holdings Pty Ltd	739.5/58	05/12/2011	19/10/2012
TV	Tumbarumba	NSW	Tumbarumba Shire Council	613.5/40	21/06/2012	20/06/2013
TV	Tanybryn IBL	Vic.	RBA Holdings Pty Ltd	781.5/64	16/07/2011	15/07/2012
TV	Sarina Beaches	Qld	RBA Holdings Pty Ltd	627.5/42	14/07/2011	13/07/2012
TV	Mount Kembla	NSW	RBA Holdings Pty Ltd	564.5/33	05/12/2011	19/10/2012
TV	Cow Bay	Qld	Cairns Regional Council	655.5/46	31/05/2012	30/05/2013
TV	Birdsville	Qld	Diamantina Shire Council	655.5/46	04/06/2012	03/06/2013
TV	Batlow	NSW	RBA Holdings Pty Ltd	620.5/41	05/12/2011	19/10/2012
TV	West Wyalong	NSW	RBA Holdings Pty Ltd	725.5/56	30/01/2012	29/01/2013
TV	Toowoomba East	Qld	RBA Holdings Pty Ltd	718.5/55	14/07/2011	13/07/2012

TV	Toowoomba South	Qld	RBA Holdings Pty Ltd	781.5/64	14/07/2011	13/07/2012
TV	Batlow	NSW	RBA Holdings Pty Ltd	634.5/43	05/12/2011	19/10/2012
TV	Muttaborra	Qld	Barcaldine Regional Council	613.5/40	08/02/2012	07/02/2013
TV	Windorah	Qld	Barcoo Shire Council	613.5/40	03/02/2012	02/02/2013
TV	Yarraman	Qld	RBA Holdings Pty Ltd	760.5/61	14/07/2011	13/07/2012
Radio	Mesa J Mine	WA	Pilbara Iron Company (Services) Pty Ltd	95.7	29/11/2011	28/11/2012
TV	Wellington	NSW	RBA Holdings Pty Ltd	662.5/47	05/12/2011	19/10/2012
Radio	Bega/ Cooma	NSW	Australian Broadcasting Corporation	89.7	26/06/2012	25/06/2013
TV	Mount Morgan	Qld	RBA Holdings Pty Ltd	746.5/59	14/07/2011	13/07/2012
TV	Eulo	Qld	Paroo Shire Council	627.5/42	05/03/2012	04/03/2013
TV	Cootamundra	NSW	RBA Holdings Pty Ltd	788.5/65	05/12/2011	19/10/2012
Radio	St George	Qld	Australian Broadcasting Corporation	99.3	06/02/2012	06/03/2012
TV	Yowah	Qld	Paroo Shire Council	620.5/41	05/03/2012	04/03/2013
TV	Sarina Beaches	Qld	RBA Holdings Pty Ltd	620.5/41	14/07/2011	13/07/2012
TV	Batlow	NSW	RBA Holdings Pty Ltd	613.5/40	05/12/2011	19/10/2012
TV	Bayu/Undan	NT	Conocophillips Australia Pty Ltd	627.5/42	24/02/2012	22/02/2013
TV	Grenfell	NSW	RBA Holdings Pty Ltd	704.5/53	05/12/2011	19/10/2012
TV	Gundagai	NSW	RBA Holdings Pty Ltd	648.5/45	05/12/2011	19/10/2012
TV	Laverton	WA	Shire of Laverton	676.5/49	04/06/2012	03/06/2013
Radio	Engawala	NT	Warlpiri Media Association Inc.	107.7	07/10/2011	06/10/2012
TV	Clairview	Qld	Isaac Regional Council	620.5/41	02/02/2012	01/02/2013
TV	Hillston	NSW	RBA Holdings Pty Ltd	613.5/40	30/01/2012	29/01/2013
TV	Crows Nest	Qld	RBA Holdings Pty Ltd	746.5/59	14/07/2011	13/07/2012
TV	Nanango	Qld	RBA Holdings Pty Ltd	767.5/62	14/07/2011	13/07/2012
TV	Wellington	NSW	RBA Holdings Pty Ltd	690.5/51	05/12/2011	19/10/2012
TV	Eromanga	Qld	Quilpie Shire Council	655.5/46	11/05/2012	10/05/2013
TV	Birdsville	Qld	Diamantina Shire Council	613.5/40	04/06/2012	03/06/2013
TV	Augathella	Qld	Murweh Shire Council	627.5/42	08/02/2012	07/02/2013
TV	Jundah	Qld	Barcoo Shire Council	676.5/49	03/02/2012	02/02/2013
TV	Yowah	Qld	Paroo Shire Council	662.5/47	05/03/2012	04/03/2013
Radio	Murray Island Group	Qld	Torres Strait Island Regional Council	97.7	01/06/2012	31/05/2013
TV	Tanybryn IBL	Vic.	RBA Holdings Pty Ltd	802.5/67	16/07/2011	15/07/2012
TV	Burra IBL	SA	Spencer Gulf Telecasters Pty Ltd	676.5/49	01/11/2011	31/10/2012
TV	Moura	Qld	RBA Holdings Pty Ltd	655.5/46	14/07/2011	13/07/2012
TV	Clairview	Qld	Isaac Regional Council	613.5/40	02/02/2012	01/02/2013
TV	Narooma Town	NSW	RBA Holdings Pty Ltd	599.5/38	30/01/2012	29/01/2013
TV	Tin Can Bay	Qld	RBA Holdings Pty Ltd	795.5/66	14/07/2011	13/07/2012
Radio	Walgett	NSW	Walgett Shire Council	98.7	27/07/2011	26/07/2012
TV	Mossman South	Qld	Cairns Regional Council	746.5/59	02/09/2011	01/09/2012
TV	Augathella	Qld	Murweh Shire Council	641.5/44	08/02/2012	07/02/2013
TV	Mudgee Town	NSW	RBA Holdings Pty Ltd	669.5/48	05/12/2011	19/10/2012
TV	Mount Kembla	NSW	RBA Holdings Pty Ltd	648.5/45	05/12/2011	19/10/2012

TV	Morven	Qld	Murweh Shire Council	648.5/45	08/02/2012	07/02/2013
TV	Eastgrove	NSW	RBA Holdings Pty Ltd	564.5/33	05/12/2011	19/10/2012
TV	Aramac	Qld	Barcaldine Regional Council	648.5/45	08/02/2012	07/02/2013
TV	Sarina Beaches	Qld	RBA Holdings Pty Ltd	634.5/43	14/07/2011	13/07/2012
TV	Mundubbera	Qld	RBA Holdings Pty Ltd	725.5/56	14/07/2011	13/07/2012
TV	Junee	NSW	RBA Holdings Pty Ltd	592.5/37	05/12/2011	19/10/2012
TV	Toowoomba South	Qld	RBA Holdings Pty Ltd	718.5/55	14/07/2011	13/07/2012
TV	Mt Cowley IBL	Vic.	RBA Holdings Pty Ltd	781.5/64	16/07/2011	15/07/2012
TV	Mount Kembla	NSW	RBA Holdings Pty Ltd	676.5/49	05/12/2011	19/10/2012
TV	Alpha	Qld	Barcaldine Regional Council	676.5/49	08/02/2012	07/02/2013
TV	Wyandra	Qld	Paroo Shire Council	613.5/40	05/03/2012	04/03/2013
TV	Bungendore	NSW	RBA Holdings Pty Ltd	662.5/47	05/12/2011	19/10/2012
TV	Eulo	Qld	Paroo Shire Council	669.5/48	05/03/2012	04/03/2013
Radio	Birchip	Vic.	W & L Phillips Pty Ltd	97.7	26/06/2012	25/06/2013
TV	Peak Hill	NSW	RBA Holdings Pty Ltd	669.5/48	05/12/2011	19/10/2012
TV	Bungendore	NSW	RBA Holdings Pty Ltd	683.5/50	05/12/2011	19/10/2012
Radio	Apollo Bay	Vic.	W & L Phillips Pty Ltd	97.9	26/06/2012	25/06/2013
Radio	Bonnie Rock	WA	Shire of Mukinbudin	106.7	11/05/2012	10/05/2013
TV	Kandos	NSW	Mid/Western Regional Council	683.5/50	25/05/2012	24/05/2013
TV	Agnes Water	Qld	RBA Holdings Pty Ltd	753.5/60	14/07/2011	13/07/2012
TV	Lorne	Vic.	RBA Holdings Pty Ltd	802.5/67	16/07/2011	15/07/2012
Radio	Eastern Creek Mine	Qld	Newlands Coal Pty Ltd	104.1	29/09/2011	28/09/2012
TV	Cootamundra	NSW	RBA Holdings Pty Ltd	725.5/56	05/12/2011	19/10/2012
TV	Dalmeny	NSW	RBA Holdings Pty Ltd	767.5/62	30/01/2012	29/01/2013
TV	Eulo	Qld	Paroo Shire Council	655.5/46	05/03/2012	04/03/2013
TV	Yarraman	Qld	RBA Holdings Pty Ltd	739.5/58	14/07/2011	13/07/2012
TV	Tin Can Bay	Qld	RBA Holdings Pty Ltd	816.5/69	14/07/2011	13/07/2012
TV	Mount Kembla	NSW	RBA Holdings Pty Ltd	669.5/48	05/12/2011	19/10/2012
TV	Morven	Qld	Murweh Shire Council	662.5/47	08/02/2012	07/02/2013
TV	Eastgrove	NSW	RBA Holdings Pty Ltd	536.5/29	05/12/2011	19/10/2012
TV	Goldsborough Valley	Qld	RBA Holdings Pty Ltd	585.5/36	14/07/2011	13/07/2012
TV	Moonford	Qld	North Burnett Regional Council	676.5/49	05/10/2011	04/10/2012
TV	Lorne	Vic.	RBA Holdings Pty Ltd	781.5/64	16/07/2011	15/07/2012
Radio	Taroom	Qld	Banana Shire Council	97.3	12/12/2011	11/12/2012
Radio	Adelong	NSW	Adelong Progress Association Inc.	94.1	09/09/2011	08/09/2012
Radio	Beech Forest	Vic.	W & L Phillips Pty Ltd	90.9	26/06/2012	25/06/2013
TV	Mt Cowley IBL	Vic.	RBA Holdings Pty Ltd	795.5/66	16/07/2011	15/07/2012
TV	Oberon	NSW	RBA Holdings Pty Ltd	795.5/66	05/12/2011	19/10/2012
TV	Bungendore	NSW	RBA Holdings Pty Ltd	669.5/48	05/12/2011	19/10/2012
TV	Clairview	Qld	Isaac Regional Council	627.5/42	02/02/2012	01/02/2013
TV	Cooloola Cove	Qld	RBA Holdings Pty Ltd	816.5/69	14/07/2011	13/07/2012
Radio	Nhulunbuy	NT	Nhulunbuy Corporation Ltd	98.1	15/05/2012	14/05/2013
Radio	Denmark	WA	Shire of Denmark	106.9	16/09/2011	15/09/2012

Radio	Coorow	WA	Shire of Coorow	107.1	28/11/2011	27/11/2012
Radio	DeGrussa Mine	WA	Sandfire Resources NL	104.5	17/05/2012	16/05/2013
TV	Crows Nest	Qld	RBA Holdings Pty Ltd	809.5/68	14/07/2011	13/07/2012
TV	Narooma Town	NSW	RBA Holdings Pty Ltd	585.5/36	30/01/2012	29/01/2013
TV	Cooloolo Cove	Qld	RBA Holdings Pty Ltd	795.5/66	14/07/2011	13/07/2012
TV	Stonehenge	Qld	Barcoo Shire Council	627.5/42	03/02/2012	02/02/2013
TV	Stonehenge	Qld	Barcoo Shire Council	669.5/48	03/02/2012	02/02/2013
TV	Daintree Village	Qld	Cairns Regional Council	634.5/43	31/05/2012	30/05/2013
TV	Dalmeny	NSW	RBA Holdings Pty Ltd	746.5/59	30/01/2012	29/01/2013
TV	Crows Nest	Qld	RBA Holdings Pty Ltd	767.5/62	14/07/2011	13/07/2012
TV	Gundagai	NSW	RBA Holdings Pty Ltd	620.5/41	05/12/2011	19/10/2012
TV	Bancroft	Qld	North Burnett Regional Council	578.5/35	05/10/2011	04/10/2012
TV	Yarraman	Qld	RBA Holdings Pty Ltd	718.5/55	14/07/2011	13/07/2012
TV	Port Douglas	Qld	Regional Television Pty Ltd	753.5/60	15/09/2011	14/09/2012
TV	Leonora	WA	Shire of Leonora	634.5/43	19/04/2012	18/04/2013
TV	Jundah	Qld	Barcoo Shire Council	620.5/41	03/02/2012	02/02/2013
TV	Tumbarumba	NSW	RBA Holdings Pty Ltd	627.5/42	14/06/2012	13/06/2013
TV	Nanango	Qld	RBA Holdings Pty Ltd	725.5/56	14/07/2011	13/07/2012
TV	Mount Morgan	Qld	RBA Holdings Pty Ltd	725.5/56	14/07/2011	13/07/2012
TV	Narooma Town	NSW	RBA Holdings Pty Ltd	578.5/35	30/01/2012	29/01/2013
Radio	Benalla	Vic.	Benalla Rural City Council	92.9	29/02/2012	28/02/2013
TV	Mount Morgan	Qld	RBA Holdings Pty Ltd	809.5/68	14/07/2011	13/07/2012
TV	Mossman South	Qld	Cairns Regional Council	767.5/62	02/09/2011	01/09/2012
TV	Mundubbera	Qld	RBA Holdings Pty Ltd	732.5/57	14/07/2011	13/07/2012
TV	Grenfell	NSW	RBA Holdings Pty Ltd	746.5/59	05/12/2011	19/10/2012
TV	Bancroft	Qld	North Burnett Regional Council	606.5/39	05/10/2011	04/10/2012
TV	Muttaborra	Qld	Barcaldine Regional Council	627.5/42	08/02/2012	07/02/2013
TV	Wyandra	Qld	Paroo Shire Council	669.5/48	05/03/2012	04/03/2013
Radio	Hope Downs 4 Mine	WA	Pilbara Iron Company (Services) Pty Ltd	89.5	10/11/2011	09/11/2012
TV	West Wyalong	NSW	RBA Holdings Pty Ltd	746.5/59	30/01/2012	29/01/2013
TV	Rainbow Beach	Qld	RBA Holdings Pty Ltd	774.5/63	14/07/2011	13/07/2012
TV	Conder	ACT	RBA Holdings Pty Ltd	606.5/39	05/12/2011	19/10/2012
TV	Leonora	WA	Shire of Leonora	627.5/42	19/04/2012	18/04/2013
TV	Eastgrove	NSW	RBA Holdings Pty Ltd	550.5/31	05/12/2011	19/10/2012
TV	Eidsvold	Qld	North Burnett Regional Council	788.5/65	05/10/2011	04/10/2012
TV	Birdsville	Qld	Diamantina Shire Council	627.5/42	04/06/2012	03/06/2013
TV	Mundubbera	Qld	RBA Holdings Pty Ltd	704.5/53	14/07/2011	13/07/2012
Radio	Theodore	Qld	Banana Shire Council	102.7	12/12/2011	11/12/2012
TV	Nanango	Qld	RBA Holdings Pty Ltd	809.5/68	14/07/2011	13/07/2012
TV	Morven	Qld	Murweh Shire Council	620.5/41	08/02/2012	07/02/2013
TV	Grenfell	NSW	RBA Holdings Pty Ltd	767.5/62	05/12/2011	19/10/2012
TV	Alpha	Qld	Barcaldine Regional Council	683.5/50	08/02/2012	07/02/2013
TV	Stonehenge	Qld	Barcoo Shire Council	641.5/44	03/02/2012	02/02/2013
TV	Eulo	Qld	Paroo Shire Council	613.5/40	05/03/2012	04/03/2013

TV	Flametree/ Jubilee Pocket	Qld	RBA Holdings Pty Ltd	711.5/54	14/07/2011	13/07/2012
TV	Wyandra	Qld	Paroo Shire Council	641.5/44	05/03/2012	04/03/2013
TV	Peak Hill	NSW	RBA Holdings Pty Ltd	683.5/50	05/12/2011	19/10/2012
TV	Laverton	WA	Shire of Laverton	669.5/48	04/06/2012	03/06/2013
TV	Wellington	NSW	RBA Holdings Pty Ltd	669.5/48	05/12/2011	19/10/2012
TV	Moonford	Qld	North Burnett Regional Council	690.5/51	05/10/2011	04/10/2012
TV	Gunning	NSW	RBA Holdings Pty Ltd	760.5/61	05/12/2011	19/10/2012
TV	Adelong	NSW	Tumut Shire Council	571.5/34	29/05/2012	28/05/2013
TV	Crows Nest	Qld	RBA Holdings Pty Ltd	788.5/65	14/07/2011	13/07/2012
Radio	Green Head	WA	Shire of Coorow	100.1	28/11/2011	27/11/2012
TV	Moonford	Qld	North Burnett Regional Council	662.5/47	05/10/2011	04/10/2012
TV	Augathella	Qld	Murweh Shire Council	613.5/40	08/02/2012	07/02/2013
TV	Tumbarumba	NSW	Tumbarumba Shire Council	620.5/41	21/06/2012	20/06/2013
TV	Captains Flat	NSW	Palerang Council	704.5/53	15/06/2012	14/06/2013
TV	Harden	NSW	RBA Holdings Pty Ltd	718.5/55	05/12/2011	19/10/2012
TV	Narrandera	NSW	RBA Holdings Pty Ltd	585.5/36	05/12/2011	19/10/2012
TV	Mossman South	Qld	Cairns Regional Council	725.5/56	02/09/2011	01/09/2012
TV	Jundah	Qld	Barcoo Shire Council	662.5/47	03/02/2012	02/02/2013
TV	Wongan Hills Town	WA	Shire of Wongan Ballidu	746.5/59	26/04/2012	23/04/2013
TV	Junelee	NSW	RBA Holdings Pty Ltd	606.5/39	05/12/2011	19/10/2012
TV	Tanybryn IBL	Vic.	RBA Holdings Pty Ltd	816.5/69	16/07/2011	15/07/2012
TV	Clairview	Qld	Isaac Regional Council	634.5/43	02/02/2012	01/02/2013
TV	Hillston	NSW	RBA Holdings Pty Ltd	641.5/44	30/01/2012	29/01/2013
TV	Hillston	NSW	RBA Holdings Pty Ltd	634.5/43	30/01/2012	29/01/2013
Radio	Lake Vermont Mine	Qld	Thiess Pty Ltd	103.1	08/02/2012	07/02/2013
TV	Moura	Qld	RBA Holdings Pty Ltd	676.5/49	14/07/2011	13/07/2012
TV	Peak Hill	NSW	RBA Holdings Pty Ltd	662.5/47	05/12/2011	19/10/2012
TV	Hillston	NSW	RBA Holdings Pty Ltd	620.5/41	30/01/2012	29/01/2013
TV	Jericho	Qld	Barcaldine Regional Council	634.5/43	08/02/2012	07/02/2013
Radio	DeGrussa Mine	WA	Sandfire Resources NL	99.7	17/05/2012	16/05/2013
TV	Nanango	Qld	RBA Holdings Pty Ltd	746.5/59	14/07/2011	13/07/2012
TV	Oberon	NSW	RBA Holdings Pty Ltd	711.5/54	05/12/2011	19/10/2012
TV	Muttaborra	Qld	Barcaldine Regional Council	641.5/44	08/02/2012	07/02/2013
TV	Wyandra	Qld	Paroo Shire Council	655.5/46	05/03/2012	04/03/2013
TV	Agnes Water	Qld	RBA Holdings Pty Ltd	774.5/63	14/07/2011	13/07/2012
TV	Aramac	Qld	Barcaldine Regional Council	634.5/43	08/02/2012	07/02/2013
TV	Daintree Village	Qld	Cairns Regional Council	620.5/41	31/05/2012	30/05/2013
TV	Waubra	Vic.	Waubra Wind Farm Community Fund Inc.	683.5/50	21/04/2012	20/04/2013
TV	Cootamundra	NSW	RBA Holdings Pty Ltd	767.5/62	05/12/2011	19/10/2012
TV	Wongan Hills Town	WA	Shire of Wongan Ballidu	725.5/56	26/04/2012	23/04/2013
TV	Goldsborough Valley	Qld	RBA Holdings Pty Ltd	592.5/37	14/07/2011	13/07/2012
TV	Batlow	NSW	RBA Holdings Pty Ltd	641.5/44	05/12/2011	19/10/2012

TV	Windorah	Qld	Barcoo Shire Council	655.5/46	03/02/2012	02/02/2013
Radio	Coonabarabran	NSW	Warrumbungle Shire Council	92.5	23/02/2012	22/02/2013
TV	Narrandera	NSW	RBA Holdings Pty Ltd	592.5/37	05/12/2011	19/10/2012
TV	Mudgee Town	NSW	RBA Holdings Pty Ltd	676.5/49	05/12/2011	19/10/2012
TV	Eidsvold	Qld	North Burnett Regional Council	767.5/62	05/10/2011	04/10/2012
Radio	Bridgetown	WA	Shire of Bridgetown and Greenbushes	97.3	01/11/2011	31/10/2012
TV	Jundah	Qld	Barcoo Shire Council	634.5/43	03/02/2012	02/02/2013
TV	Agnes Water	Qld	RBA Holdings Pty Ltd	795.5/66	14/07/2011	13/07/2012
Radio	Hope Downs 4 Mine	WA	Pilbara Iron Company (Services) Pty Ltd	95.9	10/11/2011	09/11/2012
TV	Cow Bay	Qld	Cairns Regional Council	683.5/50	31/05/2012	30/05/2013
TV	Peak Hill	NSW	RBA Holdings Pty Ltd	690.5/51	05/12/2011	19/10/2012
TV	Gunning	NSW	RBA Holdings Pty Ltd	718.5/55	05/12/2011	19/10/2012
TV	Cardwell	Qld	Cassowary Coast Regional Council	662.5/47	06/12/2011	05/12/2012
TV	Dalmeny	NSW	RBA Holdings Pty Ltd	788.5/65	30/01/2012	29/01/2013
TV	Stonehenge	Qld	Barcoo Shire Council	613.5/40	03/02/2012	02/02/2013
Radio	Keith	SA	W & L Phillips Pty Ltd	99.1	26/06/2012	25/06/2013
TV	Talbingo	NSW	Tumut Shire Council	613.5/40	29/05/2012	28/05/2013
TV	Eidsvold	Qld	North Burnett Regional Council	704.5/53	05/10/2011	04/10/2012
TV	Gundagai	NSW	RBA Holdings Pty Ltd	641.5/44	05/12/2011	19/10/2012
TV	Eromanga	Qld	Quilpie Shire Council	627.5/42	11/05/2012	10/05/2013
TV	Oberon	NSW	RBA Holdings Pty Ltd	774.5/63	05/12/2011	19/10/2012
TV	Collinsville North IBL	Qld	Regional Television Pty Ltd	655.5/46	15/09/2011	14/09/2012
TV	Cow Bay	Qld	Cairns Regional Council	676.5/49	31/05/2012	30/05/2013
TV	Eugowra	NSW	RBA Holdings Pty Ltd	781.5/64	05/12/2011	19/10/2012
TV	Carmila	Qld	Isaac Regional Council	662.5/47	02/02/2012	01/02/2013
TV	Nhulunbuy	NT	Nhulunbuy Corporation Ltd	627.5/42	22/05/2012	21/05/2013
TV	Toowoomba East	Qld	RBA Holdings Pty Ltd	781.5/64	14/07/2011	13/07/2012
TV	Goldsborough Valley	Qld	RBA Holdings Pty Ltd	571.5/34	14/07/2011	13/07/2012
TV	Mundubbera	Qld	RBA Holdings Pty Ltd	718.5/55	14/07/2011	13/07/2012
TV	Clairview	Qld	Isaac Regional Council	641.5/44	02/02/2012	01/02/2013
TV	Toowoomba East	Qld	RBA Holdings Pty Ltd	760.5/61	14/07/2011	13/07/2012
TV	Mundubbera	Qld	RBA Holdings Pty Ltd	711.5/54	14/07/2011	13/07/2012
TV	West Wyalong	NSW	RBA Holdings Pty Ltd	767.5/62	30/01/2012	29/01/2013
Radio	DeGrussa Mine	WA	Sandfire Resources NL	98.1	17/05/2012	16/05/2013
TV	Dalmeny	NSW	RBA Holdings Pty Ltd	704.5/53	30/01/2012	29/01/2013
TV	Toowoomba East	Qld	RBA Holdings Pty Ltd	739.5/58	14/07/2011	13/07/2012
TV	Tanybryn IBL	Vic.	RBA Holdings Pty Ltd	795.5/66	16/07/2011	15/07/2012
Analog TV	Thursday Island	Qld	Torres Shire Council	732.5/57	30/09/2011	29/09/2012
Radio	Hope Downs 4 Mine	WA	Pilbara Iron Company (Services) Pty Ltd	91.1	10/11/2011	09/11/2012
TV	Quilpie	Qld	Quilpie Shire Council	627.5/42	18/04/2012	17/04/2013
TV	Bedourie	Qld	Diamantina Shire Council	613.5/40	04/06/2012	03/06/2013

TV	Tawonga South	Vic.	Upper Kiewa Valley Translator Committee Inc.	529.5/28	18/08/2011	17/08/2012
TV	Adelong	NSW	Tumut Shire Council	606.5/39	29/05/2012	28/05/2013
TV	Wonga Beach	Qld	RBA Holdings Pty Ltd	746.5/59	14/07/2011	13/07/2012
TV	Flametree/ Jubilee Pocket	Qld	RBA Holdings Pty Ltd	774.5/63	14/07/2011	13/07/2012
TV	Toowoomba South	Qld	RBA Holdings Pty Ltd	739.5/58	14/07/2011	13/07/2012
TV	Batlow	NSW	RBA Holdings Pty Ltd	627.5/42	05/12/2011	19/10/2012
TV	Bayu/ Undan	NT	Conocophillips Australia Pty Ltd	613.5/40	24/02/2012	22/02/2013
TV	Conder	ACT	RBA Holdings Pty Ltd	585.5/36	05/12/2011	19/10/2012
TV	Gunning	NSW	RBA Holdings Pty Ltd	739.5/58	05/12/2011	19/10/2012
TV	Bowen Environs IBL	Qld	Regional Television Pty Ltd	648.5/45	15/09/2011	14/09/2012
TV	Cow Bay	Qld	Cairns Regional Council	662.5/47	31/05/2012	30/05/2013
TV	Captains Flat	NSW	Palerang Council	725.5/56	15/06/2012	14/06/2013
TV	Goldsborough Valley	Qld	RBA Holdings Pty Ltd	599.5/38	14/07/2011	13/07/2012
TV	Bancroft	Qld	North Burnett Regional Council	564.5/33	05/10/2011	04/10/2012
TV	Cooloola Cove	Qld	RBA Holdings Pty Ltd	732.5/57	14/07/2011	13/07/2012
TV	Narooma Town	NSW	RBA Holdings Pty Ltd	592.5/37	30/01/2012	29/01/2013
TV	Quilpie	Qld	Quilpie Shire Council	655.5/46	18/04/2012	17/04/2013
TV	Wongan Hills Town	WA	Shire of Wongan Ballidu	690.5/51	26/04/2012	23/04/2013
TV	Wyandra	Qld	Paroo Shire Council	627.5/42	05/03/2012	04/03/2013
TV	Tin Can Bay	Qld	RBA Holdings Pty Ltd	774.5/63	14/07/2011	13/07/2012
TV	Gunning	NSW	RBA Holdings Pty Ltd	781.5/64	05/12/2011	19/10/2012
TV	Bedourie	Qld	Diamantina Shire Council	655.5/46	04/06/2012	03/06/2013
TV	Eugowra	NSW	RBA Holdings Pty Ltd	760.5/61	05/12/2011	19/10/2012
TV	Cow Bay	Qld	Cairns Regional Council	669.5/48	31/05/2012	30/05/2013
Radio	Culcairn	NSW	Greater Hume Shire Council	91.1	05/09/2011	04/09/2012
TV	Cooloola Cove	Qld	RBA Holdings Pty Ltd	711.5/54	14/07/2011	13/07/2012
TV	Agnes Water	Qld	RBA Holdings Pty Ltd	732.5/57	14/07/2011	13/07/2012
TV	Crediton IBL	Qld	Channel Seven Queensland Pty Ltd	732.5/57	10/02/2012	09/02/2013
TV	Quilpie	Qld	Quilpie Shire Council	613.5/40	18/04/2012	17/04/2013
TV	Daintree Village	Qld	Cairns Regional Council	641.5/44	31/05/2012	30/05/2013
TV	Mount Morgan	Qld	RBA Holdings Pty Ltd	767.5/62	14/07/2011	13/07/2012
TV	Murrurundi	NSW	Upper Hunter Shire Council	571.5/34	22/12/2011	21/12/2012
TV	Tin Can Bay	Qld	RBA Holdings Pty Ltd	711.5/54	14/07/2011	13/07/2012
TV	Sarina Beaches	Qld	RBA Holdings Pty Ltd	641.5/44	14/07/2011	13/07/2012
TV	Mossman South	Qld	Cairns Regional Council	788.5/65	02/09/2011	01/09/2012
TV	Mt Foster IBL	NSW	RBA Holdings Pty Ltd	669.5/48	05/12/2011	19/10/2012
TV	Lorne	Vic.	RBA Holdings Pty Ltd	795.5/66	16/07/2011	15/07/2012
Radio	Nhulunbuy	NT	Nhulunbuy Corporation Ltd	99.7	15/05/2012	14/05/2013
TV	Rainbow Beach	Qld	RBA Holdings Pty Ltd	711.5/54	14/07/2011	13/07/2012
TV	Agnes Water	Qld	RBA Holdings Pty Ltd	711.5/54	14/07/2011	13/07/2012
Radio	Engawala	NT	Warlpiri Media Association Inc.	105.3	07/10/2011	06/10/2012
TV	Eugowra	NSW	RBA Holdings Pty Ltd	802.5/67	05/12/2011	19/10/2012

TV	Grenfell	NSW	RBA Holdings Pty Ltd	725.5/56	05/12/2011	19/10/2012
TV	Harden	NSW	RBA Holdings Pty Ltd	774.5/63	05/12/2011	19/10/2012
TV	Daintree Village	Qld	Cairns Regional Council	627.5/42	31/05/2012	30/05/2013

Table 48: National services, 2011–12

Radio/TV	Area	Applicant	Frequency (MHz)/channel	Date of effect	Date of expiry
Digital TV	Tennant Creek	Australian Broadcasting Corporation	205.625/9A	13/09/2011	30/11/2012
Digital TV	Mandurah/ Waroona	Australian Broadcasting Corporation	620.5/41	14/07/2012	30/11/2013
Digital TV	Jabiru	Australian Broadcasting Corporation	184.5/7	13/07/2012	30/11/2013
Digital TV	Atherton	Australian Broadcasting Corporation	802.5/67	13/09/2011	30/11/2012
Digital TV	Dimbulah	Special Broadcasting Service Corporation	641.625/44	12/01/2012	11/01/2013
Digital TV	Weipa	Australian Broadcasting Corporation	177.5/6	13/09/2011	30/11/2012
Digital TV	Tieri	Australian Broadcasting Corporation	711.5/54	13/09/2011	30/11/2012
FM radio	Warwick	Australian Broadcasting Corporation	96.3	07/03/2012	06/03/2013
Digital TV	Thursday Island	Australian Broadcasting Corporation	198.625/9	13/09/2011	30/11/2012
FM radio	Toowoomba	Australian Broadcasting Corporation	96.7	07/03/2012	06/03/2013
Digital TV	Tennant Creek	Special Broadcasting Service Corporation	219.5/11	05/10/2011	04/10/2012
Digital TV	Katanning	Australian Broadcasting Corporation	648.5/45	28/06/2012	30/11/2013

Table 49: Test transmissions, 2011–12

Radio/TV	Area	Applicant	Frequency (MHz)/channel	Date of effect	Date of expiry
TV	Glen Innes	Prime Television (Northern) Pty Ltd	753.5/60	29/11/2011	28/11/2012
Radio	Kilmore	Mitchell Community Radio Inc.	98.3	04/12/2011	26/02/2012
Radio	Launceston	Australian Broadcasting Corporation	102.7	05/06/2012	04/09/2012
TV	Karte IBL	WIN Television SA Pty Ltd	669.5/48	16/12/2011	15/12/2012
TV	Cobar	Regional Television Pty Ltd	529.5/28	28/06/2012	08/05/2013
TV	Walcha	Prime Television (Northern) Pty Ltd	746.5/59	29/11/2011	28/11/2012
Radio	Miles	Dalby Broadcasting Association Inc.	89.9	01/06/2012	31/08/2012
TV	Tenterfield	Prime Television (Northern) Pty Ltd	781.5/64	29/11/2011	28/11/2012
Radio	Nambour	Australian Broadcasting Corporation	104.1	01/12/2012	28/02/2013
TV	Bourke Town	Regional Television Pty Ltd	613.54/40	28/06/2012	08/05/2013
TV	Morgan	WIN Television SA Pty Ltd	648.5/45	16/12/2011	15/12/2012
TV	Brewarrina	Regional Television Pty Ltd	662.5/47	28/06/2012	08/05/2013
TV	Lameroo	WIN Television SA Pty Ltd	648.5/45	16/12/2011	15/12/2012
TV	Karte IBL	WIN Television SA Pty Ltd	662.5/47	24/04/2012	15/12/2012
TV	Coolah	Australian Capital Television Pty Ltd	781.5/64	29/06/2012	28/06/2013
TV	Renmark/Loxton	WIN Television SA Pty Ltd	557.5/32	16/12/2011	15/12/2012
TV	Karte IBL	WIN Television SA Pty Ltd	676.5/49	16/12/2011	15/12/2012
TV	Waikerie	WIN Television SA Pty Ltd	683.5/50	16/12/2011	15/12/2012
Analog TV	Bunbury	WIN Television WA Pty Ltd	611.224/40	14/09/2011	13/09/2012
TV	Merriwa	Prime Television (Northern) Pty Ltd	641.625/44	29/11/2011	28/11/2012
TV	Tumut	Australian Capital Television Pty Ltd	788.5/65	29/06/2012	28/06/2013
Radio	Bombala	2KY Broadcasters Pty Ltd	104.5	19/03/2012	18/04/2012
TV	Morgan	WIN Television SA Pty Ltd	634.5/43	24/04/2012	15/12/2012
TV	Bonalbo	Prime Television (Northern) Pty Ltd	753.5/60	29/11/2011	28/11/2012
TV	Pinnaroo	WIN Television SA Pty Ltd	592.5/37	16/12/2011	15/12/2012
TV	Kyogle	Prime Television (Northern) Pty Ltd	781.5/64	29/11/2011	28/11/2012

Table 50: Digital licences, 2011–12

Area	State	Applicant	Purpose	Frequency	Date of effect	Date of expiry
Toowoomba East	Qld	RBA Holdings Pty Ltd	Retransmission	739.5/58	14/07/2011	13/07/2012
Tanybryn IBL	Vic.	RBA Holdings Pty Ltd	Retransmission	795.5/66	16/07/2011	15/07/2012
Grenfell	NSW	RBA Holdings Pty Ltd	Retransmission	788.5/65	05/12/2011	19/10/2012
Harden	NSW	RBA Holdings Pty Ltd	Retransmission	795.5/66	05/12/2011	19/10/2012
Clare	SA	Spencer Gulf Telecasters Pty Ltd	Commercial	669.5/48	24/04/2012	26/06/2013
Jericho	Qld	Barcaldine Regional Council	Retransmission	634.5/43	08/02/2012	07/02/2013
Nanango	Qld	RBA Holdings Pty Ltd	Retransmission	746.5/59	14/07/2011	13/07/2012
Quilpie	Qld	Quilpie Shire Council	Retransmission	641.5/44	18/04/2012	17/04/2013
Morgan	SA	WIN Television SA Pty Ltd	Test transmission	648.5/45	16/12/2011	15/12/2012
Southern Agricultural	WA	WIN Television WA Pty Ltd	Commercial	191.5/8	12/04/2012	11/04/2013
Adelaide	SA	Nine Network Australia Pty Ltd	3D TV trial	550.5/31	16/07/2012	13/08/2012
Tawonga South	Vic.	Upper Kiewa Valley Translator Committee Inc.	Retransmission	529.5/28	18/08/2011	17/08/2012
The Gap IBL	SA	WIN Television SA Pty Ltd	Commercial	585.5/36	24/04/2012	23/04/2013
Waikerie	SA	WIN Television SA Pty Ltd	Test transmission	683.5/50	16/12/2011	15/12/2012
Nhulunbuy	NT	Nhulunbuy Corporation Ltd	Retransmission	641.5/44	22/05/2012	21/05/2013
Yarraman	Qld	RBA Holdings Pty Ltd	Retransmission	739.5/58	14/07/2011	13/07/2012
Cardwell	Qld	Regional Television Pty Ltd	Commercial	655.5/46	12/01/2012	11/01/2013
Narrandera	NSW	RBA Holdings Pty Ltd	Retransmission	599.5/38	05/12/2011	19/10/2012
Bunbury	WA	WIN Television WA Pty Ltd	Commercial	606.5/39	14/09/2011	13/09/2012
Yarraman	Qld	RBA Holdings Pty Ltd	Retransmission	781.5/64	14/07/2011	13/07/2012
Sarina Beaches	Qld	RBA Holdings Pty Ltd	Retransmission	620.5/41	14/07/2011	13/07/2012
Cootamundra	NSW	RBA Holdings Pty Ltd	Retransmission	767.5/62	05/12/2011	19/10/2012
Grenfell	NSW	RBA Holdings Pty Ltd	Retransmission	704.5/53	05/12/2011	19/10/2012
Leonora	WA	Shire of Leonora	Retransmission	627.5/42	19/04/2012	18/04/2013
Cooloolo Cove	Qld	RBA Holdings Pty Ltd	Retransmission	732.5/57	14/07/2011	13/07/2012
Rainbow Beach	Qld	RBA Holdings Pty Ltd	Retransmission	795.5/66	14/07/2011	13/07/2012
June	NSW	RBA Holdings Pty Ltd	Retransmission	585.5/36	05/12/2011	19/10/2012
Naracoorte	SA	WIN Television SA Pty Ltd	Commercial	634.5/43	24/04/2012	23/04/2013
Clairview	Qld	Isaac Regional Council	Retransmission	627.5/42	02/02/2012	01/02/2013
Orroroo	SA	Spencer Gulf Telecasters Pty Ltd	Commercial	683.5/50	01/11/2011	31/10/2012
Jundah	Qld	Barcoo Shire Council	Retransmission	634.5/43	03/02/2012	02/02/2013
Mount Morgan	Qld	RBA Holdings Pty Ltd	Retransmission	788.5/65	14/07/2011	13/07/2012
Bridgetown	WA	West Digital Television Pty Ltd	Commercial	641.5/44	07/02/2012	06/02/2013

Burra IBL	SA	Spencer Gulf Telecasters Pty Ltd	Retransmission	683.5/50	01/11/2011	03/10/2012
Sydney	NSW	TCN Channel Nine Pty Ltd	3D TV trial	578.5/35	16/07/2012	13/08/2012
Kyogle	NSW	Prime Television (Northern) Pty Ltd	Test transmission	781.5/64	29/11/2011	28/11/2012
Junelee	NSW	RBA Holdings Pty Ltd	Retransmission	571.5/34	05/12/2011	19/10/2012
Cow Bay	Qld	Cairns Regional Council	Retransmission	669.5/48	31/05/2012	30/05/2013
Waubra	Vic.	Waubra Wind Farm Community Fund Inc.	Retransmission	704.5/53	21/04/2012	20/04/2013
Talbingo	NSW	Tumut Shire Council	Retransmission	613.5/40	29/05/2012	28/05/2013
Wellington	NSW	RBA Holdings Pty Ltd	Retransmission	669.5/48	05/12/2011	19/10/2012
Gundagai	NSW	RBA Holdings Pty Ltd	Retransmission	641.5/44	05/12/2011	19/10/2012
Perth	WA	Nine Network Australia Pty Ltd	3D TV trial	599.5/38	16/07/2012	13/08/2012
Crows Nest	Qld	RBA Holdings Pty Ltd	Retransmission	788.5/65	14/07/2011	13/07/2012
Mission Beach	Qld	Regional Television Pty Ltd	Commercial	809.5/68	14/06/2012	13/06/2013
Mount Kembla	NSW	RBA Holdings Pty Ltd	Retransmission	648.5/45	05/12/2011	19/10/2012
Keith	SA	WIN Television SA Pty Ltd	Commercial	585.5/36	10/11/2011	09/11/2012
Augusta	WA	West Digital Television No4 Pty Ltd	Commercial	683.5/50	07/02/2012	06/02/2013
Augathella	Qld	Murweh Shire Council	Retransmission	613.5/40	08/02/2012	07/02/2013
Carnila	Qld	Isaac Regional Council	Retransmission	662.5/47	02/02/2012	01/02/2013
West Wyalong	NSW	RBA Holdings Pty Ltd	Retransmission	809.5/68	30/01/2012	29/01/2013
Murrurundi	NSW	Upper Hunter Shire Council	Retransmission	571.5/34	22/12/2011	21/12/2012
Nhulunbuy	NT	Nhulunbuy Corporation Ltd	Retransmission	627.5/42	22/05/2012	21/05/2013
Walcha	NSW	Prime Television (Northern) Pty Ltd	Test transmission	746.5/59	29/11/2011	28/11/2012
Mossman South	Qld	Cairns Regional Council	Retransmission	725.5/56	02/09/2011	01/09/2012
Nannup	WA	Golden West Network Pty Ltd	Commercial	536.5/29	15/03/2012	14/03/2013
Broome	WA	WIN Television WA Pty Ltd	Commercial	184.5/7	14/02/2012	13/02/2013
Yarraman	Qld	RBA Holdings Pty Ltd	Retransmission	718.5/55	14/07/2011	13/07/2012
Toowoomba South	Qld	RBA Holdings Pty Ltd	Retransmission	718.5/55	14/07/2011	13/07/2012
Albany	WA	Golden West Network Pty Ltd	Commercial	648.5/45	07/02/2012	06/02/2013
Richmond	Qld	Richmond Shire Council	Retransmission	641.5/44	21/05/2012	20/05/2013
Bayu/Undan	NT	Conocophillips Australia Pty Ltd	Retransmission	620.5/41	24/02/2012	22/02/2013
Melbourne Royal Melb Golf Course (SE)	Vic.	FanVision Inc.	Special event	802.5/67	14/11/2011	20/11/2011
Bedourie	Qld	Diamantina Shire Council	Retransmission	641.5/44	04/06/2012	03/06/2013
Rainbow Beach	Qld	RBA Holdings Pty Ltd	Retransmission	816.5/69	14/07/2011	13/07/2012
Kojonup	WA	WIN Television WA Pty Ltd	Commercial	690.5/51	12/04/2012	11/04/2013

Mount Morgan	Qld	RBA Holdings Pty Ltd	Retransmission	746.5/59	14/07/2011	13/07/2012
Bancroft	Qld	North Burnett Regional Council	Retransmission	606.5/39	05/10/2011	04/10/2012
Nhulunbuy	NT	Nhulunbuy Corporation Ltd	Retransmission	613.5/40	22/05/2012	21/05/2013
Bayu/Undan	NT	Conocophillips Australia Pty Ltd	s. 212 retransmission	634.5/43	24/02/2012	22/02/2013
Cowell	SA	Spencer Gulf Telecasters Pty Ltd	Commercial	578.5/35	24/04/2012	26/06/2013
West Wyalong	NSW	RBA Holdings Pty Ltd	Retransmission	746.5/59	30/01/2012	29/01/2013
Katanning	WA	WIN Television WA Pty Ltd	Commercial	620.5/41	12/04/2012	11/04/2013
Wagin	WA	WIN Television WA Pty Ltd	Commercial	543.5/30	12/04/2012	11/04/2013
Cow Bay	Qld	Cairns Regional Council	Retransmission	662.5/47	31/05/2012	30/05/2013
Laverton	WA	Shire of Laverton	Retransmission	655.5/46	04/06/2012	03/06/2013
Gundagai	NSW	RBA Holdings Pty Ltd	Retransmission	648.5/45	05/12/2011	19/10/2012
Renmark/Loxton	SA	WIN Television SA Pty Ltd	Test transmission	557.5/32	16/12/2011	15/12/2012
Goldsborough Valley	Qld	RBA Holdings Pty Ltd	Retransmission	592.5/37	14/07/2011	13/07/2012
Tenterfield	NSW	Prime Television (Northern) Pty Ltd	Test transmission	781.5/64	29/11/2011	28/11/2012
Eugowra	NSW	RBA Holdings Pty Ltd	Retransmission	739.5/58	05/12/2011	19/10/2012
Mingenew	WA	West Digital Television No. 2 Pty Ltd	Commercial	683.5/50	15/03/2012	18/03/2013
Moura	Qld	RBA Holdings Pty Ltd	Retransmission	669.5/48	14/07/2011	13/07/2012
Mt Cowley IBL	Vic.	RBA Holdings Pty Ltd	Retransmission	795.5/66	16/07/2011	15/07/2012
Karratha	WA	West Digital Television No. 4 Pty Ltd	Commercial	634.5/43	29/11/2011	28/11/2012
Oberon	NSW	RBA Holdings Pty Ltd	Retransmission	795.5/66	05/12/2011	19/10/2012
West Wyalong	NSW	RBA Holdings Pty Ltd	Retransmission	788.5/65	30/01/2012	29/01/2013
Agnes Water	Qld	RBA Holdings Pty Ltd	Retransmission	795.5/66	14/07/2011	13/07/2012
Margaret River	WA	West Digital Television Pty Ltd	Commercial	641.5/44	29/11/2011	28/11/2012
Merriwa	NSW	Prime Television (Northern) Pty Ltd	Test transmission	641.5/44	29/11/2011	28/11/2012
Bunbury	WA	West Digital Television Pty Ltd	Commercial	592.5/37	05/10/2011	13/09/2012
Albany	WA	West Digital Television Pty Ltd	Commercial	641.5/44	07/02/2012	06/02/2013
Stonehenge	Qld	Barcoo Shire Council	Retransmission	641.5/44	03/02/2012	02/02/2013
Bayu/Undan	NT	Conocophillips Australia Pty Ltd	s. 212 retransmission	641.5/44	24/02/2012	22/02/2013
Mudgee Town	NSW	RBA Holdings Pty Ltd	Retransmission	662.5/47	05/12/2011	19/10/2012
Eugowra	NSW	RBA Holdings Pty Ltd	Retransmission	760.5/61	05/12/2011	19/10/2012
Pinnaroo	SA	WIN Television SA Pty Ltd	Commercial	571.5/34	24/04/2012	23/04/2013
Morgan	SA	WIN Television SA Pty Ltd	Test transmission	634.5/43	24/04/2012	15/12/2012
Stonehenge	Qld	Barcoo Shire Council	Retransmission	613.5/40	03/02/2012	02/02/2013
Windorah	Qld	Barcoo Shire Council	Retransmission	641.5/44	03/02/2012	02/02/2013
Cooloolo Cove	Qld	RBA Holdings Pty Ltd	Retransmission	795.5/66	14/07/2011	13/07/2012

Broome	WA	Golden West Satellite Communications Pty Ltd	Commercial	212.5/10	07/02/2012	06/02/2013
Broken Hill	NSW	Broken Hill Television Pty Ltd	Commercial	177.5/6	24/04/2012	23/04/2013
Port Lincoln	SA	Spencer Gulf Telecasters Pty Ltd	Commercial	655.5/46	24/04/2012	26/06/2013
Stonehenge	Qld	Barcoo Shire Council	Retransmission	669.5/48	03/02/2012	02/02/2013
Collinsville	Qld	WIN Television QLD Pty Ltd	Commercial	788.625/65	01/11/2011	31/10/2012
Manjimup	WA	West Digital Television Pty Ltd	Commercial	676.5/49	15/03/2012	14/03/2013
Tumbarumba	NSW	Tumbarumba Shire Council	Retransmission	620.5/41	21/06/2012	20/06/2013
Bordertown	SA	WIN Television SA Pty Ltd	Commercial	634.5/43	24/04/2012	23/04/2013
Conder	ACT	RBA Holdings Pty Ltd	Retransmission	578.5/35	05/12/2011	19/10/2012
Aramac	Qld	Barcaldine Regional Council	Retransmission	620.5/41	08/02/2012	07/02/2013
Tenterfield	NSW	Northern Rivers Television Pty Ltd	Commercial	760.625/61	31/05/2012	03/10/2012
Murrumbidgee Irrigation Area	NSW	WIN Television Griffith Pty Ltd	Commercial	543.5/30	15/02/2012	14/02/2013
Tin Can Bay	Qld	RBA Holdings Pty Ltd	Retransmission	711.5/54	14/07/2011	13/07/2012
Sarina Beaches	Qld	RBA Holdings Pty Ltd	Retransmission	627.5/42	14/07/2011	13/07/2012
Goldsborough Valley	Qld	RBA Holdings Pty Ltd	Retransmission	571.5/34	14/07/2011	13/07/2012
Mundubbera	Qld	RBA Holdings Pty Ltd	Retransmission	725.5/56	14/07/2011	13/07/2012
Mt Foster IBL	NSW	RBA Holdings Pty Ltd	Retransmission	683.5/50	05/12/2011	19/10/2012
Alpha	Qld	Barcaldine Regional Council	Retransmission	655.5/46	08/02/2012	07/02/2013
Safety Beach	Vic.	Channel Seven Melbourne Pty Ltd	Commercial	774.5/63	10/05/2012	03/10/2012
Talbingo	NSW	WIN Television NSW Pty Ltd	Commercial	634.5/43	22/05/2012	03/10/2012
Flametree/Jubilee Pocket	Qld	RBA Holdings Pty Ltd	Retransmission	795.5/66	14/07/2011	13/07/2012
Koolyanobbing	WA	WIN Television WA Pty Ltd	Commercial	191.5/8	23/05/2012	28/05/2013
Tanybryn IBL	Vic.	RBA Holdings Pty Ltd	Retransmission	816.5/69	16/07/2011	15/07/2012
Tumby Bay	SA	Spencer Gulf Telecasters Pty Ltd	Commercial	536.5/29	24/04/2012	26/06/2013
Narooma Town	NSW	RBA Holdings Pty Ltd	Retransmission	578.5/35	30/01/2012	29/01/2013
Hillston	NSW	RBA Holdings Pty Ltd	Retransmission	641.5/44	30/01/2012	29/01/2013
Toowoomba East	Qld	RBA Holdings Pty Ltd	Retransmission	802.5/67	14/07/2011	13/07/2012
Moura	Qld	RBA Holdings Pty Ltd	Retransmission	676.5/49	14/07/2011	13/07/2012
Glen Innes	NSW	Prime Television (Northern) Pty Ltd	Test transmission	753.5/60	29/11/2011	28/11/2012
Peak Hill	NSW	RBA Holdings Pty Ltd	Retransmission	662.5/47	05/12/2011	19/10/2012
Quorn	SA	Spencer Gulf Telecasters Pty Ltd	Commercial	669.5/48	24/04/2012	26/06/2013
Muttaborra	Qld	Barcaldine Regional Council	Retransmission	613.5/40	08/02/2012	07/02/2013
Gundagai	NSW	RBA Holdings Pty Ltd	Retransmission	599.5/38	05/12/2011	19/10/2012
Wonga Beach	Qld	RBA Holdings Pty Ltd	Retransmission	746.5/59	14/07/2011	13/07/2012

Kandos	NSW	Mid/Western Regional Council	Retransmission	683.5/50	25/05/2012	24/05/2013
Mission Beach	Qld	WIN Television QLD Pty Ltd	Commercial	613.5/40	01/11/2011	31/10/2012
Burra	SA	Spencer Gulf Telecasters Pty Ltd	Commercial	585.5/36	24/04/2012	26/06/2013
Dalmeny	NSW	RBA Holdings Pty Ltd	Retransmission	767.5/62	30/01/2012	29/01/2013
Flametree/ Jubilee Pocket	Qld	RBA Holdings Pty Ltd	Retransmission	774.5/63	14/07/2011	13/07/2012
Batlow	NSW	RBA Holdings Pty Ltd	Retransmission	627.5/42	05/12/2011	19/10/2012
Eastgrove	NSW	RBA Holdings Pty Ltd	Retransmission	536.5/29	05/12/2011	19/10/2012
Renmark/ Loxton	SA	WIN Television SA Pty Ltd	Commercial	536.5/29	24/04/2012	23/04/2013
Aramac	Qld	Barcaldine Regional Council	Retransmission	634.5/43	08/02/2012	07/02/2013
Mingenew	WA	WIN Television WA Pty Ltd	Commercial	676.5/49	14/02/2012	13/02/2013
Mingenew	WA	Geraldton Telecasters Pty Ltd	Commercial	669.5/48	15/03/2012	18/03/2013
Captains Flat	NSW	Palerang Council	Retransmission	725.5/56	15/06/2012	14/06/2013
Goldsborough Valley	Qld	RBA Holdings Pty Ltd	Retransmission	585.5/36	14/07/2011	13/07/2012
Laverton	WA	Shire of Laverton	Retransmission	676.5/49	04/06/2012	03/06/2013
Atherton	Qld	WIN Television QLD Pty Ltd	Commercial	739.625/58	16/07/2012	17/10/2013
Bunbury	WA	Golden West Network Pty Ltd	Commercial	578.5/35	14/09/2011	13/09/2012
Kingston SE/ Robe	SA	WIN Television SA Pty Ltd	Commercial	571.5/34	24/04/2012	23/04/2013
Windorah	Qld	Barcoo Shire Council	Retransmission	655.5/46	03/02/2012	02/02/2013
Wongan Hills Town	WA	Shire of Wongan Ballidu	Retransmission	690.5/51	26/04/2012	23/04/2013
Mandurah/ Waroona	WA	WIN Television WA Pty Ltd	Commercial	634.5/43	12/04/2012	11/04/2013
Hay	NSW	WIN Television Griffith Pty Ltd	Commercial	641.5/44	15/02/2012	14/02/2013
Gordonvale	Qld	WIN Television QLD Pty Ltd	Commercial	676.5/49	16/07/2012	17/10/2013
Morven	Qld	Murweh Shire Council	Retransmission	620.5/41	08/02/2012	07/02/2013
Kingston SE/ Robe	SA	WIN Television SA Pty Ltd	Commercial	592.5/37	10/11/2011	09/11/2012
Eulo	Qld	Paroo Shire Council	Retransmission	613.5/40	05/03/2012	04/03/2013
Kandos	NSW	WIN Television NSW Pty Ltd	Commercial	788.5/65	17/02/2012	03/10/2012
Flametree/ Jubilee Pocket	Qld	RBA Holdings Pty Ltd	Retransmission	711.5/54	14/07/2011	13/07/2012
Peak Hill	NSW	RBA Holdings Pty Ltd	Retransmission	690.5/51	05/12/2011	19/10/2012
Bancroft	Qld	North Burnett Regional Council	Retransmission	585.5/36	05/10/2011	04/10/2012
Cardwell	Qld	Cassowary Coast Regional Council	Retransmission	662.5/47	06/12/2011	05/12/2012
Wyandra	Qld	Paroo Shire Council	Retransmission	641.5/44	05/03/2012	04/03/2013
Cooloolo Cove	Qld	RBA Holdings Pty Ltd	Retransmission	774.5/63	14/07/2011	13/07/2012
Pinnaroo	SA	WIN Television SA Pty Ltd	Commercial	585.5/36	16/12/2011	15/12/2012

Waikerie	SA	WIN Television SA Pty Ltd	Commercial	676.5/49	16/12/2011	15/12/2012
Narooma Town	NSW	RBA Holdings Pty Ltd	Retransmission	585.5/36	30/01/2012	29/01/2013
Narooma Town	NSW	RBA Holdings Pty Ltd	Retransmission	599.5/38	30/01/2012	29/01/2013
Moora	WA	WIN Television WA Pty Ltd	Commercial	592.5/37	23/05/2012	28/05/2013
Hay	NSW	WIN Television Griffith Pty Ltd	Commercial	634.5/43	15/02/2012	03/10/2012
Walwa/Jingellic	NSW	Tumbarumba Shire Council	Retransmission	571.5/34	29/05/2012	18/05/2013
Agnes Water	Qld	RBA Holdings Pty Ltd	Retransmission	732.5/57	14/07/2011	13/07/2012
Crediton IBL	Qld	Channel Seven Queensland Pty Ltd	Retransmission	732.5/57	10/02/2012	09/02/2013
Eromanga	Qld	Quilpie Shire Council	Retransmission	627.5/42	11/05/2012	10/05/2013
Bourke Town	NSW	Regional Television Pty Ltd	Test transmission	613.5/40	28/06/2012	08/05/2013
Bungendore	NSW	RBA Holdings Pty Ltd	Retransmission	655.5/46	05/12/2011	19/10/2012
Coffin Bay	SA	Spencer Gulf Telecasters Pty Ltd	Commercial	613.5/40	24/04/2012	26/06/2013
Yowah	Qld	Paroo Shire Council	Retransmission	634.5/43	05/03/2012	04/03/2013
Daintree Village	Qld	Cairns Regional Council	Retransmission	641.5/44	31/05/2012	30/05/2013
Cow Bay	Qld	Cairns Regional Council	Retransmission	676.5/49	31/05/2012	30/05/2013
Cardwell	Qld	Channel Seven Queensland Pty Ltd	Commercial	634.5/43	01/01/2012	03/10/2012
Karte IBL	SA	WIN Television SA Pty Ltd	Test transmission	669.5/48	16/12/2011	15/12/2012
Aramac	Qld	Barcaldine Regional Council	Retransmission	648.5/45	08/02/2012	07/02/2013
Tanybryn IBL	Vic.	RBA Holdings Pty Ltd	Retransmission	781.5/64	16/07/2011	15/07/2012
Sarina Beaches	Qld	RBA Holdings Pty Ltd	Retransmission	634.5/43	14/07/2011	13/07/2012
Mount Kembla	NSW	RBA Holdings Pty Ltd	Retransmission	564.5/33	05/12/2011	19/10/2012
Clare	SA	Spencer Gulf Telecasters Pty Ltd	Commercial	676.5/49	01/11/2011	31/10/2012
Bancroft	Qld	North Burnett Regional Council	Retransmission	578.5/35	05/10/2011	04/10/2012
Wongan Hills Town	WA	Shire of Wongan Ballidu	Retransmission	767.5/62	26/04/2012	23/04/2013
Stuart	Qld	Channel Seven Queensland Pty Ltd	Commercial	732.5/57	01/01/2012	03/10/2012
Mundubbera	Qld	RBA Holdings Pty Ltd	Retransmission	711.5/54	14/07/2011	13/07/2012
Mount Kembla	NSW	RBA Holdings Pty Ltd	Retransmission	676.5/49	05/12/2011	19/10/2012
Cardwell	Qld	Cassowary Coast Regional Council	Retransmission	669.5/48	06/12/2011	05/12/2012
Muttaborra	Qld	Barcaldine Regional Council	Retransmission	655.5/46	08/02/2012	07/02/2013
Rainbow Beach	Qld	RBA Holdings Pty Ltd	Retransmission	711.5/54	14/07/2011	13/07/2012
Harden	NSW	RBA Holdings Pty Ltd	Retransmission	753.5/60	05/12/2011	19/10/2012
Hillston	NSW	RBA Holdings Pty Ltd	Retransmission	634.5/43	30/01/2012	29/01/2013
Manjimup	WA	Golden West Network Pty Ltd	Commercial	669.5/48	15/03/2012	14/03/2013
Katanning	WA	Australian Broadcasting Corporation	National	648.5/45	28/06/2012	30/11/2013
Toowoomba South	Qld	RBA Holdings Pty Ltd	Retransmission	802.5/67	14/07/2011	13/07/2012

Batlow	NSW	RBA Holdings Pty Ltd	Retransmission	634.5/43	05/12/2011	19/10/2012
Wellington	NSW	RBA Holdings Pty Ltd	Retransmission	676.5/49	05/12/2011	19/10/2012
St Lawrence	Qld	Isaac Regional Council	Retransmission	620.5/41	02/02/2012	01/02/2013
Pemberton	WA	WIN Television WA Pty Ltd	Commercial	543.5/30	14/02/2012	13/02/2013
Peak Hill	NSW	RBA Holdings Pty Ltd	Retransmission	669.5/48	05/12/2011	19/10/2012
Waikerie	SA	WIN Television SA Pty Ltd	Commercial	669.5/48	24/04/2012	23/04/2013
Coffin Bay	SA	Spencer Gulf Telecasters Pty Ltd	Commercial	627.5/42	01/11/2011	31/10/2012
Pinnaroo	SA	WIN Television SA Pty Ltd	Test transmission	592.5/37	16/12/2011	15/12/2012
Jabiru	NT	Australian Broadcasting Corporation	National	184.5/7	13/06/2012	30/11/2013
The Gap IBL	SA	WIN Television SA Pty Ltd	Commercial	592.5/37	10/11/2011	09/11/2012
Eugowra	NSW	RBA Holdings Pty Ltd	Retransmission	718.5/55	05/12/2011	19/10/2012
Stonehenge	Qld	Barcoo Shire Council	Retransmission	655.5/46	03/02/2012	02/02/2013
Cootamundra	NSW	RBA Holdings Pty Ltd	Retransmission	788.5/65	05/12/2011	19/10/2012
Gunning	NSW	RBA Holdings Pty Ltd	Retransmission	739.5/58	05/12/2011	19/10/2012
Bayu/Undan	NT	Conocophillips Australia Pty Ltd	s. 212 retransmission	627.5/42	24/02/2012	22/02/2013
Pemberton	WA	West Digital Television No. 4 Pty Ltd	Commercial	564.5/33	07/02/2012	06/02/2013
Bancroft	Qld	North Burnett Regional Council	Retransmission	564.5/33	05/10/2011	04/10/2012
Central Agricultural	WA	WIN Television WA Pty Ltd	Commercial	620.5/41	12/04/2012	11/04/2013
Wonga Beach	Qld	RBA Holdings Pty Ltd	Retransmission	809.5/68	14/07/2011	13/07/2012
Springsure	Qld	Central Highlands Regional Council	Retransmission	711.5/54	03/02/2012	02/02/2013
South East	SA	WIN Television SA Pty Ltd	Commercial	536.5/29	10/11/2011	09/11/2012
Wyandra	Qld	Paroo Shire Council	Retransmission	627.5/42	05/03/2012	04/03/2013
Norseman	WA	WIN Television WA Pty Ltd	Commercial	676.5/49	12/04/2012	11/04/2013
Tin Can Bay	Qld	RBA Holdings Pty Ltd	Retransmission	774.5/63	14/07/2011	13/07/2012
Mudgee Town	NSW	RBA Holdings Pty Ltd	Retransmission	676.5/49	05/12/2011	19/10/2012
Eromanga	Qld	Quilpie Shire Council	Retransmission	641.5/44	11/05/2012	10/05/2013
Bedourie	Qld	Diamantina Shire Council	Retransmission	655.5/46	04/06/2012	03/06/2013
Augathella	Qld	Murweh Shire Council	Retransmission	627.5/42	08/02/2012	07/02/2013
Jericho	Qld	Barcaldine Regional Council	Retransmission	662.5/47	08/02/2012	07/02/2013
Alpha	Qld	Barcaldine Regional Council	Retransmission	683.5/50	08/02/2012	07/02/2013
Nannup	WA	West Digital Television Pty Ltd	Commercial	564.5/33	15/03/2012	14/03/2013
Eromanga	Qld	Quilpie Shire Council	Retransmission	613.5/40	11/05/2012	10/05/2013
Cow Bay	Qld	Cairns Regional Council	Retransmission	683.5/50	31/05/2012	30/05/2013
Richmond	Qld	Richmond Shire Council	Retransmission	627.5/42	21/05/2012	20/05/2013
Burra IBL	SA	Spencer Gulf Telecasters Pty Ltd	Retransmission	676.5/49	01/11/2011	31/10/2012
Eidsvold	Qld	North Burnett Regional Council	Retransmission	746.5/59	05/10/2011	04/10/2012

Crows Nest	Qld	RBA Holdings Pty Ltd	Retransmission	809.5/68	14/07/2011	13/07/2012
Leonora	WA	Shire of Leonora	Retransmission	620.5/41	19/04/2012	18/04/2013
Yowah	Qld	Paroo Shire Council	Retransmission	676.5/49	05/03/2012	04/03/2013
Laverton	WA	Shire of Laverton	Retransmission	669.5/48	04/06/2012	03/06/2013
Mossman South	Qld	Cairns Regional Council	Retransmission	746.5/59	02/09/2011	01/09/2012
Gunning	NSW	RBA Holdings Pty Ltd	Retransmission	760.5/61	05/12/2011	19/10/2012
Narrogin	WA	WIN Television WA Pty Ltd	Commercial	690.5/51	23/05/2012	28/05/2013
Dalmeny	NSW	RBA Holdings Pty Ltd	Retransmission	746.5/59	30/01/2012	29/01/2013
Captains Flat	NSW	Palerang Council	Retransmission	704.5/53	15/06/2012	14/06/2013
Mount Morgan	Qld	RBA Holdings Pty Ltd	Retransmission	767.5/62	14/07/2011	13/07/2012
Tara	Qld	Channel Seven Queensland Pty Ltd	Retransmission	746.5/59	10/02/2012	09/02/2013
Harden	NSW	RBA Holdings Pty Ltd	Retransmission	739.5/58	05/12/2011	19/10/2012
St Lawrence	Qld	Isaac Regional Council	Retransmission	641.5/44	02/02/2012	01/02/2013
Esperance	WA	WIN Television WA Pty Ltd	Commercial	219.5/11	12/04/2012	11/04/2013
Toowoomba East	Qld	RBA Holdings Pty Ltd	Retransmission	781.5/64	14/07/2011	13/07/2012
Broome	WA	West Digital Television No4 Pty Ltd	Commercial	226.5/12	07/02/2012	06/02/2013
Gundagai	NSW	RBA Holdings Pty Ltd	Retransmission	620.5/41	05/12/2011	19/10/2012
Jundah	Qld	Barcoo Shire Council	Retransmission	662.5/47	03/02/2012	02/02/2013
Lorne	Vic.	RBA Holdings Pty Ltd	Retransmission	795.5/66	16/07/2011	15/07/2012
Port Douglas	Qld	Regional Television Pty Ltd	Retransmission	753.5/60	15/09/2011	14/09/2012
Alpha	Qld	Barcaldine Regional Council	Retransmission	676.5/49	08/02/2012	07/02/2013
Birdsville	Qld	Diamantina Shire Council	Retransmission	655.5/46	04/06/2012	03/06/2013
Crows Nest	Qld	RBA Holdings Pty Ltd	Retransmission	725.5/56	14/07/2011	13/07/2012
Nanango	Qld	RBA Holdings Pty Ltd	Retransmission	725.5/56	14/07/2011	13/07/2012
Batlow	NSW	RBA Holdings Pty Ltd	Retransmission	620.5/41	05/12/2011	19/10/2012
Keith	SA	WIN Television SA Pty Ltd	Commercial	571.5/34	24/04/2012	23/04/2013
Narrandera	NSW	RBA Holdings Pty Ltd	Retransmission	606.5/39	05/12/2011	19/10/2012
Northam	WA	WIN Television WA Pty Ltd	Commercial	690.5/51	12/04/2012	11/04/2013
Captains Flat	NSW	WIN Television NSW Pty Ltd	Commercial	767.5/62	22/05/2012	03/10/2012
Mossman South	Qld	Cairns Regional Council	Retransmission	767.5/62	02/09/2011	01/09/2012
Clare	SA	Spencer Gulf Telecasters Pty Ltd	Commercial	683.5/50	01/11/2011	03/10/2012
Windorah	Qld	Barcoo Shire Council	Retransmission	613.5/40	03/02/2012	02/02/2013
Eulo	Qld	Paroo Shire Council	Retransmission	641.5/44	05/03/2012	04/03/2013
Daintree Village	Qld	Cairns Regional Council	Retransmission	613.5/40	31/05/2012	30/05/2013
Peak Hill	NSW	RBA Holdings Pty Ltd	Retransmission	676.5/49	05/12/2011	19/10/2012
Merriwa	NSW	Northern Rivers Television Pty Ltd	Commercial	662.5/47	02/11/2011	03/10/2012
Adelong	NSW	Tumut Shire Council	Retransmission	606.5/39	29/05/2012	28/05/2013
Richmond	Qld	Richmond Shire Council	Retransmission	655.5/46	21/05/2012	20/05/2013

Kalgoorlie	WA	WIN Television WA Pty Ltd	Commercial	212.5/10	03/11/2011	01/11/2012
Grenfell	NSW	RBA Holdings Pty Ltd	Retransmission	746.5/59	05/12/2011	19/10/2012
St Lawrence	Qld	Isaac Regional Council	Retransmission	613.5/40	02/02/2012	01/02/2013
Eulo	Qld	Paroo Shire Council	Retransmission	627.5/42	05/03/2012	04/03/2013
Nyngan	NSW	WIN Television NSW Pty Ltd	Commercial	746.5/59	22/05/2012	03/10/2012
Mount Kembla	NSW	RBA Holdings Pty Ltd	Retransmission	606.5/39	05/12/2011	19/10/2012
Mount Kembla	NSW	RBA Holdings Pty Ltd	Retransmission	669.5/48	05/12/2011	19/10/2012
Moonford	Qld	North Burnett Regional Council	Retransmission	669.5/48	05/10/2011	04/10/2012
Conder	ACT	RBA Holdings Pty Ltd	Retransmission	585.5/36	05/12/2011	19/10/2012
Bowen Environs IBL	Qld	Regional Television Pty Ltd	Retransmission	648.5/45	15/09/2011	14/09/2012
Jericho	Qld	Barcaldine Regional Council	Retransmission	648.5/45	08/02/2012	07/02/2013
Waubra	Vic.	Waubra Wind Farm Community Fund Inc.	Retransmission	683.5/50	21/04/2012	20/04/2013
Goldsborough Valley	Qld	RBA Holdings Pty Ltd	Retransmission	599.5/38	14/07/2011	13/07/2012
Quorn	SA	Spencer Gulf Telecasters Pty Ltd	Commercial	676.5/49	01/11/2011	31/10/2012
Aramac	Qld	Barcaldine Regional Council	Retransmission	662.5/47	08/02/2012	07/02/2013
Murrumbidgee Irrigation Area	NSW	WIN Television Griffith Pty Ltd	Commercial	557.5/32	15/02/2012	14/02/2013
Eastgrove	NSW	RBA Holdings Pty Ltd	Retransmission	550.5/31	05/12/2011	19/10/2012
Eidsvold	Qld	North Burnett Regional Council	Retransmission	788.5/65	05/10/2011	04/10/2012
Karte IBL	SA	WIN Television SA Pty Ltd	Test transmission	662.5/47	24/04/2012	15/12/2012
Quilpie	Qld	Quilpie Shire Council	Retransmission	655.5/46	18/04/2012	17/04/2013
Birdsville	Qld	Diamantina Shire Council	Retransmission	627.5/42	04/06/2012	03/06/2013
Mundubbera	Qld	RBA Holdings Pty Ltd	Retransmission	704.5/53	14/07/2011	13/07/2012
Bancroft	Qld	North Burnett Regional Council	Retransmission	599.5/38	05/10/2011	04/10/2012
Birdsville	Qld	Diamantina Shire Council	Retransmission	613.5/40	04/06/2012	03/06/2013
Nanango	Qld	RBA Holdings Pty Ltd	Retransmission	809.5/68	14/07/2011	13/07/2012
Spencer Gulf North	SA	Spencer Gulf Telecasters Pty Ltd	Commercial	627.5/42	01/11/2011	31/10/2012
Birdsville	Qld	Diamantina Shire Council	Retransmission	641.5/44	04/06/2012	03/06/2013
Kalgoorlie	WA	Mid/Western Television Pty Ltd	Commercial	226.5/12	29/11/2011	28/11/2012
Tanybryn IBL	Vic.	RBA Holdings Pty Ltd	Retransmission	802.5/67	16/07/2011	15/07/2012
Collaroy	NSW	NBN Ltd	Commercial	774.5/63	12/01/2012	11/01/2013
Port Lincoln	SA	Spencer Gulf Telecasters Pty Ltd	Commercial	662.5/47	01/11/2011	31/10/2012
Bowen Environs IBL	Qld	WIN Television QLD Pty Ltd	Retransmission	627.5/42	15/09/2011	14/09/2012
Moura	Qld	RBA Holdings Pty Ltd	Retransmission	655.5/46	14/07/2011	13/07/2012
Peak Hill	NSW	RBA Holdings Pty Ltd	Retransmission	683.5/50	05/12/2011	19/10/2012
Lameroo	SA	WIN Television SA Pty Ltd	Test transmission	648.5/45	16/12/2011	15/12/2012
Leonora	WA	Shire of Leonora	Retransmission	641.5/44	19/04/2012	18/04/2013

Kambalda	WA	WIN Television WA Pty Ltd	Commercial	634.5/43	12/04/2012	11/04/2013
Quilpie	Qld	Quilpie Shire Council	Retransmission	613.5/40	18/04/2012	17/04/2013
Stonehenge	Qld	Barcoo Shire Council	Retransmission	627.5/42	03/02/2012	02/02/2013
Condobolin	NSW	WIN Television NSW Pty Ltd	Commercial	760.5/61	22/05/2012	03/10/2012
Flametree/ Jubilee Pocket	Qld	RBA Holdings Pty Ltd	Retransmission	732.5/57	14/07/2011	13/07/2012
Morven	Qld	Murweh Shire Council	Retransmission	648.5/45	08/02/2012	07/02/2013
Yarraman	Qld	RBA Holdings Pty Ltd	Retransmission	802.5/67	14/07/2011	13/07/2012
Conder	ACT	RBA Holdings Pty Ltd	Retransmission	592.5/37	05/12/2011	19/10/2012
Mundubbera	Qld	RBA Holdings Pty Ltd	Retransmission	718.5/55	14/07/2011	13/07/2012
Mossman South	Qld	Cairns Regional Council	Retransmission	788.5/65	02/09/2011	01/09/2012
Mt Foster IBL	NSW	RBA Holdings Pty Ltd	Retransmission	669.5/48	05/12/2011	19/10/2012
Wongan Hills Town	WA	Shire of Wongan Ballidu	Retransmission	746.5/59	26/04/2012	23/04/2013
Cow Bay	Qld	Cairns Regional Council	Retransmission	655.5/46	31/05/2012	30/05/2013
Augusta	WA	WIN Television WA Pty Ltd	Commercial	676.5/49	14/02/2012	13/02/2013
Waubra	Vic.	Waubra Wind Farm Community Fund Inc.	Retransmission	718.5/55	21/04/2012	20/04/2013
Tieri	Qld	Australian Broadcasting Corporation	National	711.5/54	13/09/2011	30/11/2012
Junee	NSW	RBA Holdings Pty Ltd	Retransmission	606.5/39	05/12/2011	19/10/2012
Jundah	Qld	Barcoo Shire Council	Retransmission	620.5/41	03/02/2012	02/02/2013
Wyandra	Qld	Paroo Shire Council	Retransmission	613.5/40	05/03/2012	04/03/2013
Wonga Beach	Qld	RBA Holdings Pty Ltd	Retransmission	725.5/56	14/07/2011	13/07/2012
Mount Morgan	Qld	RBA Holdings Pty Ltd	Retransmission	725.5/56	14/07/2011	13/07/2012
Harden	NSW	RBA Holdings Pty Ltd	Retransmission	774.5/63	05/12/2011	19/10/2012
Clairview	Qld	Isaac Regional Council	Retransmission	634.5/43	02/02/2012	01/02/2013
West Wyalong	NSW	RBA Holdings Pty Ltd	Retransmission	725.5/56	30/01/2012	29/01/2013
Kojonup	WA	Golden West Network Pty Ltd	Commercial	655.5/46	05/04/2012	04/04/2013
Jundah	Qld	Barcoo Shire Council	Retransmission	648.5/45	03/02/2012	02/02/2013
Adelong	NSW	WIN Television NSW Pty Ltd	Commercial	592.5/37	22/05/2012	03/10/2012
Toowoomba South	Qld	RBA Holdings Pty Ltd	Retransmission	781.5/64	14/07/2011	13/07/2012
Wellington	NSW	RBA Holdings Pty Ltd	Retransmission	683.5/50	05/12/2011	19/10/2012
Gundagai	NSW	RBA Holdings Pty Ltd	Retransmission	676.5/49	05/12/2011	19/10/2012
Mundubbera	Qld	RBA Holdings Pty Ltd	Retransmission	732.5/57	14/07/2011	13/07/2012
Dimbulah	Qld	Special Broadcasting Service Corporation	National	641.5/44	12/01/2012	11/01/2013
Bungendore	NSW	RBA Holdings Pty Ltd	Retransmission	683.5/50	05/12/2011	19/10/2012
Glen Innes	NSW	Northern Rivers Television Pty Ltd	Commercial	774.5/63	17/02/2012	03/10/2012
Mt Cowley IBL	Vic.	RBA Holdings Pty Ltd	Retransmission	802.5/67	16/07/2011	15/07/2012
Cootamundra	NSW	RBA Holdings Pty Ltd	Retransmission	725.5/56	05/12/2011	19/10/2012
Carnila	Qld	Isaac Regional Council	s. 212 retransmission	669.5/48	29/03/2012	27/03/2013
Muttaborra	Qld	Barcaldine Regional Council	Retransmission	627.5/42	08/02/2012	07/02/2013

Eastgrove	NSW	RBA Holdings Pty Ltd	Retransmission	529.5/28	05/12/2011	19/10/2012
Melbourne	Vic.	General Television Corporation Pty Ltd	3D TV trial	578.5/35	16/07/2012	13/08/2012
Rainbow Beach	Qld	RBA Holdings Pty Ltd	Retransmission	774.5/63	14/07/2011	13/07/2012
Rainbow Beach	Qld	RBA Holdings Pty Ltd	Retransmission	732.5/57	14/07/2011	13/07/2012
Moonford	Qld	North Burnett Regional Council	Retransmission	676.5/49	05/10/2011	04/10/2012
Weipa	Qld	Australian Broadcasting Corporation	National	177.5/6	13/09/2011	30/11/2012
Lorne	Vic.	RBA Holdings Pty Ltd	Retransmission	781.5/64	16/07/2011	15/07/2012
Bordertown	SA	WIN Television SA Pty Ltd	Commercial	648.5/45	10/11/2011	09/11/2012
Gunning	NSW	RBA Holdings Pty Ltd	Retransmission	802.5/67	05/12/2011	19/10/2012
Clairview	Qld	Isaac Regional Council	Retransmission	620.5/41	02/02/2012	01/02/2013
St Lawrence	Qld	Isaac Regional Council	Retransmission	627.5/42	02/02/2012	01/02/2013
Southern Cross Town	WA	WIN Television WA Pty Ltd	Commercial	550.5/31	23/05/2012	28/05/2013
Waubra	Vic.	Waubra Wind Farm Community Fund Inc.	Retransmission	725.5/56	21/04/2012	20/04/2013
Melbourne/ Albert Park Raceway (SE)	Vic.	FanVision Inc.	Special event	802.5/67	15/03/2012	18/03/2012
Margaret River	WA	WIN Television WA Pty Ltd	Commercial	627.5/42	03/11/2011	01/11/2012
Cassilis	NSW	NBN Ltd	Commercial	564.5/33	12/01/2012	11/01/2013
Tennant Creek	NT	Special Broadcasting Service Corporation	National	219.5/11	05/10/2011	04/10/2012
Pemberton	WA	Golden West Satellite Communications Pty Ltd	Commercial	536.5/29	07/02/2012	06/02/2013
Grenfell	NSW	RBA Holdings Pty Ltd	Retransmission	767.5/62	05/12/2011	19/10/2012
Jundah	Qld	Barcoo Shire Council	Retransmission	676.5/49	03/02/2012	02/02/2013
Cardwell	Qld	WIN Television QLD Pty Ltd	Commercial	676.5/49	16/07/2012	17/10/2013
Burra	SA	Spencer Gulf Telecasters Pty Ltd	Commercial	592.5/37	15/02/2012	14/02/2013
June	NSW	RBA Holdings Pty Ltd	Retransmission	599.5/38	05/12/2011	19/10/2012
Tumut	NSW	WIN Television NSW Pty Ltd	Commercial	767.5/62	22/05/2012	03/10/2012
Gold Coast	Qld	Queensland Television Ltd		683.5/50	16/07/2012	13/08/2012
Lameroo	SA	WIN Television SA Pty Ltd	Commercial	641.5/44	16/12/2011	15/12/2012
Tin Can Bay	Qld	RBA Holdings Pty Ltd	Retransmission	795.5/66	14/07/2011	13/07/2012
Lameroo	SA	WIN Television SA Pty Ltd	Commercial	634.5/43	24/04/2012	23/04/2013
Daintree Village	Qld	Cairns Regional Council	Retransmission	634.5/43	31/05/2012	30/05/2013
Richmond	Qld	Richmond Shire Council	Retransmission	613.5/40	21/05/2012	20/05/2013
Moura	Qld	Australian Communications and Media Authority	Retransmission	704.5/53	14/07/2011	13/07/2012
Lorne	Vic.	RBA Holdings Pty Ltd	Retransmission	816.5/69	16/07/2011	15/07/2012
Moonford	Qld	North Burnett Regional Council	Retransmission	662.5/47	05/10/2011	04/10/2012

Moonford	Qld	North Burnett Regional Council	Retransmission	655.5/46	05/10/2011	04/10/2012
Kojonup	WA	West Digital Television Pty Ltd	Commercial	676.5/49	05/04/2012	04/04/2013
Wonga Beach	Qld	RBA Holdings Pty Ltd	Retransmission	788.5/65	14/07/2011	13/07/2012
Bordertown	SA	WIN Television SA Pty Ltd	Commercial	641.5/44	10/11/2011	09/11/2012
Cootamundra	NSW	RBA Holdings Pty Ltd	Retransmission	809.5/68	05/12/2011	19/10/2012
Karratha	WA	WIN Television WA Pty Ltd	Commercial	620.5/41	03/11/2011	01/11/2012
Albany	WA	WIN Television WA Pty Ltd	Commercial	627.5/42	14/02/2012	13/02/2013
Tumbarumba	NSW	Tumbarumba Shire Council	Retransmission	613.5/40	21/06/2012	20/06/2013
Narrandera	NSW	RBA Holdings Pty Ltd	Retransmission	585.5/36	05/12/2011	19/10/2012
Atherton	Qld	Australian Broadcasting Corporation	National	802.5/67	13/09/2011	30/11/2012
Clairview	Qld	Isaac Regional Council	Retransmission	641.5/44	02/02/2012	01/02/2013
Toowoomba East	Qld	RBA Holdings Pty Ltd	Retransmission	760.5/61	14/07/2011	13/07/2012
South East	SA	WIN Television SA Pty Ltd	Commercial	543.5/30	24/04/2012	23/04/2013
Leonora	WA	Shire of Leonora	Retransmission	634.5/43	19/04/2012	18/04/2013
West Wyalong	NSW	RBA Holdings Pty Ltd	Retransmission	767.5/62	30/01/2012	29/01/2013
Windorah	Qld	Barcoo Shire Council	Retransmission	627.5/42	03/02/2012	02/02/2013
Carmila	Qld	Isaac Regional Council	Retransmission	655.5/46	02/02/2012	01/02/2013
Daintree Village	Qld	Cairns Regional Council	Retransmission	627.5/42	31/05/2012	30/05/2013
Toowoomba East	Qld	RBA Holdings Pty Ltd	Retransmission	718.5/55	14/07/2011	13/07/2012
Oberon	NSW	RBA Holdings Pty Ltd	Retransmission	753.5/60	05/12/2011	19/10/2012
Eastgrove	NSW	RBA Holdings Pty Ltd	Retransmission	557.5/32	05/12/2011	19/10/2012
Hillston	NSW	RBA Holdings Pty Ltd	Retransmission	620.5/41	30/01/2012	29/01/2013
Quilpie	Qld	Quilpie Shire Council	Retransmission	627.5/42	18/04/2012	17/04/2013
Yarraman	Qld	RBA Holdings Pty Ltd	Retransmission	760.5/61	14/07/2011	13/07/2012
Wonga Beach	Qld	RBA Holdings Pty Ltd	Retransmission	767.5/62	14/07/2011	13/07/2012
Tin Can Bay	Qld	RBA Holdings Pty Ltd	Retransmission	732.5/57	14/07/2011	13/07/2012
Thursday Island	Qld	Australian Broadcasting Corporation	National	198.625/9	13/09/2011	30/11/2012
Morven	Qld	Murweh Shire Council	Retransmission	634.5/43	08/02/2012	07/02/2013
Quorn	SA	Spencer Gulf Telecasters Pty Ltd	Commercial	683.5/50	01/11/2011	03/10/2012
Bedourie	Qld	Diamantina Shire Council	Retransmission	613.5/40	04/06/2012	03/06/2013
Agnes Water	Qld	RBA Holdings Pty Ltd	Retransmission	753.5/60	14/07/2011	13/07/2012
Lorne	Vic.	RBA Holdings Pty Ltd	Retransmission	802.5/67	16/07/2011	15/07/2012
Tennant Creek	NT	Australian Broadcasting Corporation	National	205.625/9A	13/09/2011	30/11/2012
Burra	SA	Spencer Gulf Telecasters Pty Ltd	Commercial	606.5/39	01/11/2011	03/10/2012
Muttaborra	Qld	Barcaldine Regional Council	Retransmission	641.5/44	08/02/2012	07/02/2013
Central Agricultural	WA	Golden West Network Pty Ltd	Commercial	613.5/40	05/04/2012	01/04/2013
Wyandra	Qld	Paroo Shire Council	Retransmission	669.5/48	05/03/2012	04/03/2013

Wyandra	Qld	Paroo Shire Council	Retransmission	655.5/46	05/03/2012	04/03/2013
Yowah	Qld	Paroo Shire Council	Retransmission	648.5/45	05/03/2012	04/03/2013
Bayu/Undan	NT	Conocophillips Australia Pty Ltd	Retransmission	613.5/40	24/02/2012	22/02/2013
Hay	NSW	WIN Television Griffith Pty Ltd	Commercial	627.5/42	15/02/2012	14/02/2013
Daintree Village	Qld	Cairns Regional Council	Retransmission	620.5/41	31/05/2012	30/05/2013
Narooma Town	NSW	RBA Holdings Pty Ltd	Retransmission	606.5/39	30/01/2012	29/01/2013
Dungog	NSW	Northern Rivers Television Pty Ltd	Commercial	788.5/65	31/05/2012	03/10/2012
Thredbo	NSW	WIN Television NSW Pty Ltd	Commercial	627.5/42	22/05/2012	03/10/2012
Batlow	NSW	RBA Holdings Pty Ltd	Retransmission	641.5/44	05/12/2011	19/10/2012
Margaret River	WA	Golden West Network Pty Ltd	Commercial	620.5/41	29/11/2011	28/11/2012
Naracoorte	SA	WIN Television SA Pty Ltd	Commercial	641.5/44	10/11/2011	09/11/2012
St Lawrence	Qld	Isaac Regional Council	Retransmission	634.5/43	02/02/2012	01/02/2013
Kingston SE/Robe	SA	WIN Television SA Pty Ltd	Commercial	585.5/36	10/11/2011	09/11/2012
Carnamah	WA	WIN Television WA Pty Ltd	Commercial	676.5/49	23/05/2012	28/05/2013
Tumbarumba	NSW	RBA Holdings Pty Ltd	Retransmission	634.5/43	14/06/2012	13/06/2013
Crows Nest	Qld	RBA Holdings Pty Ltd	Retransmission	746.5/59	14/07/2011	13/07/2012
Nanango	Qld	RBA Holdings Pty Ltd	Retransmission	767.5/62	14/07/2011	13/07/2012
Nanango	Qld	RBA Holdings Pty Ltd	Retransmission	788.5/65	14/07/2011	13/07/2012
Mt Cowley IBL	Vic.	RBA Holdings Pty Ltd	Retransmission	816.5/69	16/07/2011	15/07/2012
Eidsvold	Qld	North Burnett Regional Council	Retransmission	767.5/62	05/10/2011	04/10/2012
Bungendore	NSW	RBA Holdings Pty Ltd	Retransmission	669.5/48	05/12/2011	19/10/2012
Gunning	NSW	RBA Holdings Pty Ltd	Retransmission	781.5/64	05/12/2011	19/10/2012
Burra IBL	SA	Spencer Gulf Telecasters Pty Ltd	Retransmission	669.5/48	24/04/2012	26/06/2013
Hillston	NSW	RBA Holdings Pty Ltd	Retransmission	627.5/42	30/01/2012	29/01/2013
Cooloolia Cove	Qld	RBA Holdings Pty Ltd	Retransmission	816.5/69	14/07/2011	13/07/2012
Mudgee Town	NSW	RBA Holdings Pty Ltd	Retransmission	683.5/50	05/12/2011	19/10/2012
Jericho	Qld	Barcaldine Regional Council	Retransmission	620.5/41	08/02/2012	07/02/2013
Alpha	Qld	Barcaldine Regional Council	Retransmission	669.5/48	08/02/2012	07/02/2013
Orroroo	SA	Spencer Gulf Telecasters Pty Ltd	Commercial	669.5/48	01/11/2011	03/10/2012
Dalmeny	NSW	RBA Holdings Pty Ltd	Retransmission	788.5/65	30/01/2012	29/01/2013
Mudgee Town	NSW	RBA Holdings Pty Ltd	Retransmission	690.5/51	05/12/2011	19/10/2012
Eidsvold	Qld	North Burnett Regional Council	Retransmission	704.5/53	05/10/2011	04/10/2012
Mossman South	Qld	Cairns Regional Council	Retransmission	809.5/68	02/09/2011	01/09/2012
Clairview	Qld	Isaac Regional Council	Retransmission	613.5/40	02/02/2012	01/02/2013
Mt Foster IBL	NSW	RBA Holdings Pty Ltd	Retransmission	676.5/49	05/12/2011	19/10/2012
Nannup	WA	WIN Television WA Pty Ltd	Commercial	543.5/30	14/02/2012	13/02/2013

Bridgetown	WA	WIN Television WA Pty Ltd	Commercial	627.5/42	14/02/2012	13/02/2013
Cooloolo Cove	Qld	RBA Holdings Pty Ltd	Retransmission	711.5/54	14/07/2011	13/07/2012
Tara	Qld	WIN Television QLD Pty Ltd	Commercial	788.5/65	01/11/2011	31/10/2012
Moonford	Qld	North Burnett Regional Council	Retransmission	690.5/51	05/10/2011	04/10/2012
Augathella	Qld	Murweh Shire Council	Retransmission	655.5/46	08/02/2012	07/02/2013
Adelong	NSW	Tumut Shire Council	Retransmission	571.5/34	29/05/2012	28/05/2013
Goldsborough Valley	Qld	RBA Holdings Pty Ltd	Retransmission	578.5/35	14/07/2011	13/07/2012
Coolah	NSW	Australian Capital Television Pty Ltd	Test transmission	781.5/64	29/06/2012	28/06/2013
Narrandera	NSW	RBA Holdings Pty Ltd	Retransmission	571.5/34	05/12/2011	19/10/2012
Eugowra	NSW	RBA Holdings Pty Ltd	Retransmission	781.5/64	05/12/2011	19/10/2012
Karte IBL	SA	WIN Television SA Pty Ltd	Test transmission	676.5/49	16/12/2011	15/12/2012
Junee	NSW	RBA Holdings Pty Ltd	Retransmission	592.5/37	05/12/2011	19/10/2012
Murrumbidgee Irrigation Area	NSW	WIN Television Griffith Pty Ltd	Commercial	536.5/29	15/02/2012	03/10/2012
Mt Cowley IBL	Vic.	RBA Holdings Pty Ltd	Retransmission	781.5/64	16/07/2011	15/07/2012
Keith	SA	WIN Television SA Pty Ltd	Commercial	592.5/37	10/11/2011	09/11/2012
Murrurundi	NSW	Northern Rivers Television Pty Ltd	Commercial	655.5/46	02/11/2011	03/10/2012
Grenfell	NSW	RBA Holdings Pty Ltd	Retransmission	725.5/56	05/12/2011	19/10/2012
Orroroo	SA	Spencer Gulf Telecasters Pty Ltd	Commercial	676.5/49	24/04/2012	26/06/2013
Dalmeny	NSW	RBA Holdings Pty Ltd	Retransmission	704.5/53	30/01/2012	29/01/2013
Eulo	Qld	Paroo Shire Council	Retransmission	669.5/48	05/03/2012	04/03/2013
Talbingo	NSW	Tumut Shire Council	Retransmission	620.5/41	29/05/2012	08/05/2013
Mount Morgan	Qld	RBA Holdings Pty Ltd	Retransmission	809.5/68	14/07/2011	13/07/2012
Bonalbo	NSW	Prime Television (Northern) Pty Ltd	Test transmission	753.5/60	29/11/2011	28/11/2012
Dalmeny	NSW	RBA Holdings Pty Ltd	Retransmission	725.5/56	30/01/2012	29/01/2013
Wellington	NSW	RBA Holdings Pty Ltd	Retransmission	662.5/47	05/12/2011	19/10/2012
Oberon	NSW	RBA Holdings Pty Ltd	Retransmission	711.5/54	05/12/2011	19/10/2012
Brewarrina	NSW	Regional Television Pty Ltd	Test transmission	662.5/47	28/06/2012	08/05/2013
Tumbarumba	NSW	RBA Holdings Pty Ltd	Retransmission	641.5/44	14/06/2012	13/06/2013
Flametree/Jubilee Pocket	Qld	RBA Holdings Pty Ltd	Retransmission	753.5/60	14/07/2011	13/07/2012
Toowoomba South	Qld	RBA Holdings Pty Ltd	Retransmission	760.5/61	14/07/2011	13/07/2012
Naracoorte	SA	WIN Television SA Pty Ltd	Commercial	648.5/45	26/03/2012	25/03/2013
Conder	ACT	RBA Holdings Pty Ltd	Retransmission	599.5/38	05/12/2011	19/10/2012
Cootamundra	NSW	RBA Holdings Pty Ltd	Retransmission	746.5/59	05/12/2011	19/10/2012
Eulo	Qld	Paroo Shire Council	Retransmission	655.5/46	05/03/2012	04/03/2013
Agnes Water	Qld	RBA Holdings Pty Ltd	Retransmission	774.5/63	14/07/2011	13/07/2012
Tin Can Bay	Qld	RBA Holdings Pty Ltd	Retransmission	816.5/69	14/07/2011	13/07/2012
Sarina Beaches	Qld	RBA Holdings Pty Ltd	Retransmission	648.5/45	14/07/2011	13/07/2012

Toowoomba South	Qld	RBA Holdings Pty Ltd	Retransmission	739.5/58	14/07/2011	13/07/2012
Morven	Qld	Murweh Shire Council	Retransmission	662.5/47	08/02/2012	07/02/2013
Carmila	Qld	Isaac Regional Council	s. 212 retransmission	683.5/50	29/03/2012	27/03/2013
Yowah	Qld	Paroo Shire Council	Retransmission	620.5/41	05/03/2012	04/03/2013
Bedourie	Qld	Diamantina Shire Council	Retransmission	627.5/42	04/06/2012	03/06/2013
Mandurah/Waroona	WA	Australian Broadcasting Corporation	National	620.5/41	14/06/2012	30/11/2013
Laverton	WA	Shire of Laverton	Retransmission	662.5/47	04/06/2012	03/06/2013
Batlow	NSW	RBA Holdings Pty Ltd	Retransmission	613.5/40	05/12/2011	19/10/2012
Conder	ACT	RBA Holdings Pty Ltd	Retransmission	606.5/39	05/12/2011	19/10/2012
Wongan Hills Town	WA	Shire of Wongan Ballidu	Retransmission	725.5/56	26/04/2012	23/04/2013
Karratha	WA	Golden West Satellite Communications Pty Ltd	Commercial	613.5/40	29/11/2011	28/11/2012
Augusta	WA	Golden West Satellite Communications Pty Ltd	Commercial	669.5/48	07/02/2012	06/02/2013
Tumby Bay	SA	Spencer Gulf Telecasters Pty Ltd	Commercial	557.5/32	01/11/2011	31/10/2012
Narooma Town	NSW	RBA Holdings Pty Ltd	Retransmission	592.5/37	30/01/2012	29/01/2013
Hillston	NSW	RBA Holdings Pty Ltd	Retransmission	613.5/40	30/01/2012	29/01/2013
Wellington	NSW	RBA Holdings Pty Ltd	Retransmission	690.5/51	05/12/2011	19/10/2012
Narrandera	NSW	RBA Holdings Pty Ltd	Retransmission	592.5/37	05/12/2011	19/10/2012
Spencer Gulf North	SA	Spencer Gulf Telecasters Pty Ltd	Commercial	613.5/40	24/04/2012	26/06/2013
Eromanga	Qld	Quilpie Shire Council	Retransmission	655.5/46	11/05/2012	10/05/2013
Carmila	Qld	Isaac Regional Council	s. 212 retransmission	676.5/49	29/03/2012	27/03/2013
Cowell	SA	Spencer Gulf Telecasters Pty Ltd	Commercial	592.5/37	01/11/2011	31/10/2012
Tumut	NSW	Australian Capital Television Pty Ltd	Test transmission	788.5/65	29/06/2012	28/06/2013
Manjimup	WA	WIN Television WA Pty Ltd	Commercial	683.5/50	14/02/2012	13/02/2013
Yowah	Qld	Paroo Shire Council	Retransmission	662.5/47	05/03/2012	04/03/2013
The Gap IBL	SA	WIN Television SA Pty Ltd	Commercial	578.5/35	10/11/2011	09/11/2012
Gunning	NSW	RBA Holdings Pty Ltd	Retransmission	718.5/55	05/12/2011	19/10/2012
Augathella	Qld	Murweh Shire Council	Retransmission	641.5/44	08/02/2012	07/02/2013
Windorah	Qld	Barcoo Shire Council	Retransmission	669.5/48	03/02/2012	02/02/2013
Oberon	NSW	RBA Holdings Pty Ltd	Retransmission	774.5/63	05/12/2011	19/10/2012
Mudgee Town	NSW	RBA Holdings Pty Ltd	Retransmission	669.5/48	05/12/2011	19/10/2012
Collinsville North IBL	Qld	Regional Television Pty Ltd	Retransmission	655.5/46	15/09/2011	14/09/2012
Crows Nest	Qld	RBA Holdings Pty Ltd	Retransmission	767.5/62	14/07/2011	13/07/2012
Moura	Qld	RBA Holdings Pty Ltd	Retransmission	683.5/50	14/07/2011	13/07/2012
Bungendore	NSW	RBA Holdings Pty Ltd	Retransmission	676.5/49	05/12/2011	19/10/2012
Eastgrove	NSW	RBA Holdings Pty Ltd	Retransmission	564.5/33	05/12/2011	19/10/2012
Harden	NSW	RBA Holdings Pty Ltd	Retransmission	718.5/55	05/12/2011	19/10/2012
Cobar	NSW	Regional Television Pty Ltd	Test transmission	529.5/28	28/06/2012	08/05/2013
Sarina Beaches	Qld	RBA Holdings Pty Ltd	Retransmission	641.5/44	14/07/2011	13/07/2012

Bruce Rock	WA	WIN Television WA Pty Ltd	Commercial	690.5/51	23/05/2012	28/05/2013
Bridgetown	WA	Golden West Network Pty. Ltd	Commercial	620.5/41	07/02/2012	06/02/2013
Merredin	WA	WIN Television WA Pty Ltd	Commercial	690.5/51	23/05/2012	28/05/2013
Tumbarumba	NSW	RBA Holdings Pty Ltd	Retransmission	627.5/42	14/06/2012	13/06/2013
Waubra	Vic.	Waubra Wind Farm Community Fund Inc.	Retransmission	732.5/57	21/04/2012	20/04/2013
Agnes Water	Qld	RBA Holdings Pty Ltd	Retransmission	711.5/54	14/07/2011	13/07/2012
Bungendore	NSW	RBA Holdings Pty Ltd	Retransmission	662.5/47	05/12/2011	19/10/2012
Eugowra	NSW	RBA Holdings Pty Ltd	Retransmission	802.5/67	05/12/2011	19/10/2012
Broken Hill	NSW	Broken Hill Television Pty Ltd	Commercial	184.5/7	01/11/2011	31/10/2012
Brisbane	Qld	Queensland Television Ltd		550.5/31	16/07/2012	13/08/2012

Table 51: Apparatus licences, 2011–12

Licence type	30 June 2010	30 June 2011	30 June 2012
Aeronautical	2,077	2,048	2,106
Aircraft	13	12	11
Amateur	15,626	15,672	15,760
Broadcasting	9,956	9,644	10,091
Defence	71	78	74
Earth	478	481	579
Earth receive	492	532	581
Fixed	42,607	43,592	44,140
Fixed receive	1,015	999	1,012
Land mobile	64,882	64,628	68,905
Major coast receive	17	17	17
Maritime coast	3,405	3,541	3,504
Maritime ship	8,359	8,089	7,884
Outpost	4,887	4,446	4,106
PTS	13	648	657
Radiodetermination	2,630	2,837	2,899
Scientific	472	445	504
Space	73	74	102
Space receive	257	307	338
Total	157,330	158,090	163,270

Table 52: Broadcasting service apparatus licence variations, 2011–12

Medium	Applicant	Location	Frequency (MHz)	Date of effect	Date of expiry
Radio	North East Tasmanian Radio Broadcasters Pty Ltd	Scottsdale	99.7	01/07/2011	20/02/2012
Radio	Hamersley Iron Pty Ltd	Brockman 2 Mine	106.1	19/04/2011	18/04/2012
Radio	Pilbara Iron Company (Services) Pty Ltd	Tom Price Mine	100.1	12/10/2011	11/10/2012
Radio	Pilbara Iron Company (Services) Pty Ltd	Tom Price Mine	98.5	12/10/2011	18/04/2012
Radio	Pilbara Iron Company (Services) Pty Ltd	Tom Price	103.3	12/10/2011	18/04/2012
Radio	United Christian Broadcasters Australia Ltd	Bowen	93.5	02/04/2012	07/09/2013
TV	WIN Television QLD Pty Ltd	Collinsville North IBL	788.625/65	01/10/2011	31/10/2012
Radio	Shire of Boddington	Boddington	94.9	21/08/2011	20/08/2012
Radio	Today FM Brisbane Pty Ltd	Brisbane	105.3	05/10/2011	06/02/2014
Radio	Triple M Brisbane Pty Ltd	Brisbane	104.5	05/10/2011	04/10/2012
Radio	Austereo Pty Ltd	Adelaide	107.1	06/08/2012	05/08/2013
Radio	Triple M Adelaide Pty Ltd	Adelaide	104.7	02/04/2012	01/04/2013
TV	WIN Television WA Pty Ltd	Augusta	702.25/53	17/02/2012	28/05/2012
Radio	Hamersley Iron Pty Limited	Brockman 2 Mine Workshops	104.5	19/04/2012	18/04/2013
Radio	Pilbara Iron Company (Services) Pty Ltd	Brockman 2 Mine	106.1	19/04/2012	18/04/2013
Radio	Hamersley Iron Pty Limited	Brockman 2 Mine	99.3	19/04/2012	18/04/2013
Radio	Australia Pacific LNG Pty Ltd	Spring Gully Gasfield	106.7	19/01/2012	27/06/2012
TV	Australian Broadcasting Corporation	Albany	634.5/43	04/03/2009	30/11/2013
Radio	Hamersley Iron Pty Ltd	Brockman 2 Mine Workshops	101.3	19/04/2012	18/04/2013
Radio	FM 104.9 Network Pty Ltd	Perth	90.5	01/09/2010	31/08/2015
Radio	Star 1045 Pty Ltd	Gosford	104.5	28/02/2012	28/02/2013
Radio	W & L Phillips Pty Ltd	Hawker	88.7	23/02/2012	22/02/2013
Radio	W & L Phillips Pty Ltd	Lake Cargelligo	101.5	23/02/2012	22/02/2013
Radio	W & L Phillips Pty Ltd	Minnipa	106.9	23/02/2012	22/02/2013
Radio	Rebel Radio Network Pty Ltd	Barrington/Stratford	93.7	07/05/2012	06/05/2013
Radio	Rebel Radio Network Pty Ltd	Tenterfield	102.5	07/05/2012	04/05/2013
Radio	Rebel Radio Network Pty Ltd	Theodore	104.3	07/05/2012	06/05/2013
Radio	Rebel Radio Network Pty Ltd	Gununa	104.5	07/05/2012	06/05/2013
Radio	Rebel Radio Network Pty Ltd	Goondiwindi	96.3	07/05/2012	06/05/2013
Radio	Rebel Radio Network Pty Ltd	Wilcannia	104.7	07/05/2012	06/05/2013
Radio	Rebel Radio Network Pty Ltd	Alpha	95.9	07/05/2012	06/05/2013
Radio	Rebel Radio Network Pty Ltd	Chinchilla	97.1	07/05/2012	06/05/2013
Radio	Rebel Radio Network Pty Ltd	Julia Creek	99.5	07/05/2012	06/05/2013
Radio	Rebel Radio Network Pty Ltd	Karumba	98.1	07/05/2012	06/05/2013
Radio	Rebel Radio Network Pty Ltd	Miles	94.5	07/05/2012	06/05/2013
Radio	Rebel Radio Network Pty Ltd	Monto	105.1	07/05/2012	06/05/2013
Radio	Rebel Radio Network Pty Ltd	Taroom	102.1	07/05/2012	06/05/2013
Radio	Rebel Radio Network Pty Ltd	Chinchilla	95.5	07/05/2012	06/05/2013

Radio	Rebel Radio Network Pty Ltd	Tenterfield	102.5	07/05/2012	06/05/2013
Radio	Rebel Radio Network Pty Ltd	Goondiwindi	98.7	07/05/2012	06/05/2013
Radio	Rebel Radio Network Pty Ltd	Barrington/ Stratford	97.7	07/05/2012	06/05/2013
Radio	Rebel Radio Network Pty Ltd	Banana	89.7	07/05/2012	06/05/2013
Radio	Rebel Radio Network Pty Ltd	Miles	101.3	07/05/2012	06/05/2013
Radio	2KY Broadcasters Pty Ltd	Bombala	104.5	03/04/2012	02/04/2013
Radio	Radio West Coast Pty Ltd	Strahan	105.1	01/04/2012	31/03/2013
Radio	W & L Phillips Pty Limited	Pending SA	101.5	07/11/2011	06/11/2012
Radio	West Coast Council c// Cradle Mountain Water	Strahan	94.7	30/06/2011	29/06/2012
Radio	West Coast Council c// Cradle Mountain Water	Strahan	101.9	29/04/2012	29/06/2013
Radio	OCR FM Inc.	Apollo Bay	88.7	12/06/2012	30/11/2012

Table 53: S102 licences allocated, 2011–12

Applicant	Radio/TV	Area	Frequency	Channel	Date of effect	Date of expiry
Northern Rivers Television Pty Ltd	TV	Merriwa	662.5	47	02/11/2011	03/10/2012
Geraldton Telecasters Pty Ltd	TV	Mingenew	669.5	48	15/03/2012	18/03/2013
WIN Television WA Pty Ltd	TV	Wagin	543.5	30	12/04/2012	11/04/2013
WIN Television SA Pty Ltd	TV	Naracoorte	641.5	44	10/11/2011	09/11/2012
WIN Television SA Pty Ltd	TV	South East	536.5	29	10/11/2011	09/11/2012
West Digital Television No4 Pty Ltd	TV	Karratha	634.5	43	29/11/2011	28/11/2012
Spencer Gulf Telecasters Pty Ltd	TV	Spencer Gulf North	613.5	40	24/04/2012	26/06/2013
WIN Television Griffith Pty Ltd	TV	Hay	641.5	44	15/02/2012	14/02/2013
WIN Television SA Pty Ltd	TV	Kingston SE/ Robe	592.5	37	10/11/2011	09/11/2012
Spencer Gulf Telecasters Pty Ltd	TV	Burra	592.5	37	15/02/2012	14/02/2013
RPH Print Radio Tasmania Inc.		Kelcey Tier	96.1		06/02/2012	05/02/2013
WIN Television NSW Pty Ltd	TV	Tumut	767.5	62	22/05/2012	03/10/2012
Tasman Community Broadcasters Association Inc.	Radio	Tasman Peninsula	97.7		06/02/2012	01/02/2013
ArtSound Inc.	Radio	Canberra	92.7		24/08/2011	14/07/2015
Channel Seven Queensland Pty Ltd	TV	Cardwell	634.5	43	01/01/2012	03/10/2012
WIN Television SA Pty Ltd	TV	Bordertown	641.5	44	10/11/2011	09/11/2012
Northern Rivers Television Pty Ltd	TV	Tenterfield	760.625	61	31/05/2012	03/10/2012
WIN Television WA Pty Ltd	TV	Bruce Rock	690.5	51	23/05/2012	28/05/2013
WIN Television SA Pty Ltd	TV	The Gap IBL	585.5	36	24/04/2012	23/04/2013
WIN Television NSW Pty Ltd	TV	Nyngan	746.5	59	22/05/2012	03/10/2012
West Digital Television No2 Pty Ltd	TV	Mingenew	683.5	50	15/03/2012	18/03/2013
WIN Television WA Pty Ltd	TV	Carnamah	676.5	49	23/05/2012	28/05/2013
WIN Television SA Pty Ltd	TV	Naracoorte	634.5	43	24/04/2012	23/04/2013
WIN Television QLD Pty Ltd	TV	Gordonvale	676.5	49	16/07/2012	17/10/2013
WIN Television SA Pty Ltd	TV	Pinnaroo	571.5	34	24/04/2012	23/04/2013

WIN Television SA Pty Ltd	TV	Lameroo	641.625	44	16/12/2011	15/12/2012
WIN Television SA Pty Ltd	TV	Waikerie	676.5	49	16/12/2011	15/12/2012
WIN Television WA Pty Ltd	TV	Kambalda	634.5	43	12/04/2012	11/04/2013
WIN Television QLD Pty Ltd	TV	Collinsville	788.625	65	01/11/2011	31/10/2012
West Digital Television Pty Ltd	TV	Manjimup	676.5	49	15/03/2012	14/03/2013
WIN Television NSW Pty Ltd	TV	Talbingo	634.5	43	22/05/2012	03/10/2012
Queensland Police/Citizens Youth Welfare Association	Radio	Palm Island	97.3		13/05/2012	12/05/2017
ArtSound Inc.	Radio	Tuggeranong	90.3		24/08/2011	14/07/2015
Broken Hill Television Pty Ltd	TV	Broken Hill	184.5	7	01/11/2011	31/10/2012
Spencer Gulf Telecasters Pty Ltd	TV	Orroroo	676.5	49	24/04/2012	26/06/2013
WIN Television WA Pty Ltd	TV	Northam	690.5	51	12/04/2012	11/04/2013
WIN Television NSW Pty Ltd	TV	Captains Flat	767.5	62	22/05/2012	03/10/2012
Spencer Gulf Telecasters Pty Ltd	TV	Burra	606.5	39	01/11/2011	03/10/2012
Bay & Basin Community Resources Inc.	Radio	Sanctuary Point	92.7		16/04/2012	01/06/2016
Northern Rivers Television Pty Ltd	TV	Dungog	788.5	65	31/05/2012	3/10/2012
WIN Television NSW Pty Ltd	TV	Thredbo	627.5	42	22/05/2012	3/10/2012
WIN Television QLD Pty Ltd	TV	Atherton	739.625	58	16/07/2012	17/10/2013
Golden West Network Pty Ltd	TV	Margaret River	620.5	41	29/11/2011	28/11/2012
Golden West Satellite Communications Pty Ltd	TV	Karratha	613.5	40	29/11/2011	28/11/2012
WIN Television SA Pty Ltd	TV	Bordertown	648.5	45	10/11/2011	09/11/2012
Golden West Satellite Communications Pty Ltd	TV	Augusta	669.5	48	07/02/2012	06/02/2013
Golden West Satellite Communications Pty Ltd	TV	Pemberton	536.5	29	07/02/2012	06/02/2013
West Digital Television Pty Ltd	TV	Bunbury	592.5	37	05/10/2011	13/09/2012
Armidale Community Radio Inc.	Radio	Armidale	92.1		05/03/2012	04/03/2017
West Digital Television Pty Ltd	TV	Nannup	564.5	33	15/03/2012	14/03/2013
WIN Television NSW Pty Ltd	TV	Kandos	788.5	65	17/02/2012	03/10/2012
NBN Ltd	TV	Collaroy	774.5	63	12/01/2012	11/01/2013
WIN Television SA Pty Ltd	TV	Pinnaroo	585.5	36	16/12/2011	15/12/2012
Narrandera District Community Radio Inc.	Radio	Narrandera	91.1		01/01/2012	31/12/2016
WIN Television Griffith Pty Ltd	TV	Murrumbidgee Irrigation Area	536.5	29	15/02/2012	03/10/2012
WIN Television WA Pty Ltd	TV	Augusta	676.5	49	14/02/2012	13/02/2013
Golden West Network Pty Ltd	TV	Albany	648.5	45	07/02/2012	06/02/2013
Spencer Gulf Telecasters Pty Ltd	TV	Quorn	669.5	48	24/04/2012	26/06/2013
Spencer Gulf Telecasters Pty Ltd	TV	Quorn	683.5	50	01/11/2011	03/10/2012
Spencer Gulf Telecasters Pty Ltd	TV	Coffin Bay	627.5	42	01/11/2011	31/10/2012
WIN Television WA Pty Ltd	TV	Southern Agricultural	191.5	8	12/04/2012	11/04/2013
WIN Television SA Pty Ltd	TV	Naracoorte	648.5	45	26/03/2012	25/03/2013

Golden West Network Pty Ltd	TV	Central Agricultural	613.5	40	05/04/2012	01/04/2013
WIN Television WA Pty Ltd	TV	Bunbury	606.5	39	14/09/2011	13/09/2012
WIN Television WA Pty Ltd	TV	Mingenew	676.5	49	14/02/2012	13/02/2013
WIN Television WA Pty Ltd	TV	Katanning	620.5	41	12/04/2012	11/04/2013
WIN Television Griffith Pty Ltd	TV	Murrumbidgee Irrigation Area	557.5	32	15/02/2012	14/02/2013
WIN Television WA Pty Ltd	TV	Southern Cross Town	550.5	31	23/05/2012	28/05/2013
W & L Phillips Pty Ltd	Radio	Maitland	90.9		23/03/2012	03/10/2013
NBN Ltd	TV	Cassilis	564.5	33	12/01/2012	11/01/2013
West Digital Television Pty Ltd	TV	Margaret River	641.5	44	29/11/2011	28/11/2012
WIN Television QLD Pty Ltd	TV	Cardwell	676.5	49	16/07/2012	17/10/2013
Spencer Gulf Telecasters Pty Ltd	TV	Port Lincoln	662.5	47	01/11/2011	31/10/2012
WIN Television Griffith Pty Ltd	TV	Hay	634.5	43	15/02/2012	03/10/2012
WIN Television SA Pty Ltd	TV	Keith	585.5	36	10/11/2011	9/11/2012
West Digital Television No. 4 Pty Ltd	TV	Augusta	683.5	50	07/02/2012	06/02/2013
WIN Television WA Pty Ltd	TV	Karratha	620.5	41	03/11/2011	01/11/2012
WIN Television Griffith Pty Ltd	TV	Murrumbidgee Irrigation Area	543.5	30	15/02/2012	14/02/2013
Golden West Network Pty Ltd	TV	Nannup	536.5	29	15/03/2012	14/03/2013
Channel Seven Queensland Pty Ltd	TV	Stuart	732.5	57	01/01/2012	03/10/2012
WIN Television QLD Pty Ltd	TV	Mission Beach	613.5	40	1/11/2011	31/10/2012
Regional Television Pty Ltd	TV	Cardwell	655.5	46	12/01/2012	11/01/2013
Spencer Gulf Telecasters Pty Ltd	TV	Cowell	578.5	35	24/04/2012	26/06/2013
Golden West Network Pty Ltd	TV	Bunbury	578.5	35	14/09/2011	13/09/2012
WIN Television SA Pty Ltd	TV	Kingston SE/Robe	585.5	36	10/11/2011	09/11/2012
Spencer Gulf Telecasters Pty Ltd	TV	Orroroo	683.5	50	01/11/2011	31/10/2012
Central Highlands Broadcasting Inc.	Radio	Kyneton	100.7		13/12/2011	01/07/2013
Spencer Gulf Telecasters Pty Ltd	TV	Spencer Gulf North	627.5	42	01/11/2011	31/10/2012
WIN Television WA Pty Ltd	TV	Moora	592.5	37	23/05/2012	28/05/2013
Radio Geeveston Youth Inc.	Radio	Huon Valley	98.5		19/04/2012	09/10/2012
Broken Hill Television Pty Ltd	TV	Broken Hill	177.5	6	24/04/2012	23/04/2013
Spencer Gulf Telecasters Pty Ltd	TV	Port Lincoln	655.5	46	24/04/2012	26/06/2013
WIN Television WA Pty Ltd	TV	Narrogin	690.5	51	23/05/2012	28/05/2013
WIN Television NSW Pty Ltd	TV	Condobolin	760.5	61	22/05/2012	03/10/2012
Regional Television Pty Ltd	TV	Mission Beach	809.5	68	14/06/2012	13/06/2013
WIN Television WA Pty Ltd	TV	Esperance	219.5	11	12/04/2012	11/04/2013
WIN Television SA Pty Ltd	TV	South East	543.5	30	24/04/2012	23/04/2013
Golden West Network Pty Ltd	TV	Bridgetown	620.5	41	07/02/2012	06/02/2013
Spencer Gulf Telecasters Pty Ltd	TV	Clare	669.5	48	24/04/2012	26/06/2013
WIN Television SA Pty Ltd	TV	Waikerie	669.5	48	24/04/2012	23/04/2013

WIN Television WA Pty Ltd	TV	Kojonup	690.5	51	12/04/2012	11/04/2013
West Digital Television No4 Pty Ltd	TV	Pemberton	564.5	33	07/02/2012	06/02/2013
Spencer Gulf Telecasters Pty Ltd	TV	Quorn	676.5	49	01/11/2011	31/10/2012
WIN Television WA Pty Ltd	TV	Central Agricultural	620.5	41	12/04/2012	11/04/2013
West Digital Television Pty Ltd	TV	Bridgetown	641.5	44	07/02/2012	06/02/2013
WIN Television WA Pty Ltd	TV	Manjimup	683.5	50	14/02/2012	13/02/2013
Mid/Western Television Pty Ltd	TV	Kalgoorlie	226.5	12	29/11/2011	28/11/2012
WIN Television WA Pty Ltd	TV	Bridgetown	627.5	42	14/02/2012	13/02/2013
WIN Television SA Pty Ltd	TV	Bordertown	634.5	43	24/04/2012	23/04/2013
WIN Television WA Pty Ltd	TV	Albany	627.5	42	14/02/2012	13/02/2013
West Digital Television No4 Pty Ltd	TV	Broome	226.5	12	07/02/2012	06/02/2013
WIN Television WA Pty Ltd	TV	Merredin	690.5	51	23/05/2012	28/05/2013
WIN Television SA Pty Ltd	TV	Keith	592.5	37	10/11/2011	09/11/2012
Northern Rivers Television Pty Ltd	TV	Murrurundi	655.5	46	02/11/2011	03/10/2012
Spencer Gulf Telecasters Pty Ltd	TV	Tumby Bay	536.5	29	24/04/2012	26/06/2013
WIN Television NSW Pty Ltd	TV	Adelong	592.5	37	22/05/2012	03/10/2012
WIN Television WA Pty Ltd	TV	Pemberton	543.5	30	14/02/2012	13/02/2013
WIN Television SA Pty Ltd	TV	The Gap IBL	592.5	37	10/11/2011	09/11/2012
Bankstown/Auburn Community Radio Inc.	Radio	Bankstown	100.9		02/10/2011	01/10/2016
WIN Television SA Pty Ltd	TV	Kingston SE/Robe	571.5	34	24/04/2012	23/04/2013
WIN Television WA Pty Ltd	TV	Norseman	676.5	49	12/04/2012	11/04/2013
WIN Television WA Pty Ltd	TV	Nannup	543.5	30	14/02/2012	13/02/2013
WIN Television QLD Pty Ltd	TV	Tara	788.5	65	01/11/2011	31/10/2012
Golden West Satellite Communications Pty Ltd	TV	Broome	212.5	10	07/02/2012	06/02/2013
West Digital Television Pty Ltd	TV	Kojonup	676.5	49	05/04/2012	04/04/2013
Spencer Gulf Telecasters Pty Ltd	TV	Clare	676.5	49	01/11/2011	31/10/2012
WIN Television WA Pty Ltd	TV	Koolyanobbing	191.5	8	23/05/2012	28/05/2013
Rebel Radio Network Pty Ltd	Radio	Miles	101.3		15/09/2012	20/02/2014
Golden West Network Pty Ltd	TV	Kojonup	655.5	46	05/04/2012	04/04/2013
Golden West Network Pty Ltd	TV	Manjimup	669.5	48	15/03/2012	14/03/2013
Radio Geeveston Youth Inc.	Radio	Geeveston	95.3		19/04/2012	09/10/2012
Spencer Gulf Telecasters Pty Ltd	TV	Clare	683.5	50	01/11/2011	03/10/2012
Northern Rivers Television Pty Ltd	TV	Glen Innes	774.5	63	17/02/2012	03/10/2012
WIN Television WA Pty Ltd	TV	Kalgoorlie	212.5	10	03/11/2011	01/11/2012
Spencer Gulf Telecasters Pty Ltd	TV	Burra	585.5	36	24/04/2012	26/06/2013
WIN Television Griffith Pty Ltd	TV	Hay	627.5	42	15/02/2012	14/02/2013
WIN Television SA Pty Ltd	TV	Renmark/Loxton	536.5	29	24/04/2012	23/04/2013
Spencer Gulf Telecasters Pty Ltd	TV	Tumby Bay	557.5	32	01/11/2011	31/10/2012

WIN Television WA Pty Ltd	TV	Mandurah/ Waroona	634.5	43	12/04/2012	11/04/2013
WIN Television WA Pty Ltd	TV	Margaret River	627.5	42	03/11/2011	01/11/2012
Spencer Gulf Telecasters Pty Ltd	TV	Cowell	592.5	37	01/11/2011	31/10/2012
West Digital Television Pty Ltd	TV	Albany	641.5	44	07/02/2012	06/02/2013
WIN Television SA Pty Ltd	TV	The Gap IBL	578.5	35	10/11/2011	09/11/2012
Spencer Gulf Telecasters Pty Ltd	TV	Orroroo	669.5	48	01/11/2011	03/10/2012
Coastal Broadcasters Pty Ltd	Radio	Ravenshoe	91.3		27/08/2011	26/08/2012
Southern Midlands Community Radio Station Inc.	Radio	Oatlands	97.1		01/12/2011	30/11/2016
WIN Television SA Pty Ltd	TV	Lameroo	634.5	43	24/04/2012	23/04/2013
Spencer Gulf Telecasters Pty Ltd	TV	Coffin Bay	613.5	40	24/04/2012	26/06/2013
Channel Seven Melbourne Pty Ltd	TV	Safety Beach	774.5	63	10/05/2012	03/10/2012
WIN Television WA Pty Ltd	TV	Broome	184.5	7	14/02/2012	13/02/2013
WIN Television SA Pty Ltd	TV	Keith	571.5	34	24/04/2012	23/04/2013

Table 54: Special events, 2011–12

State	Area	Applicant	Frequency	Channel	Date of effect	Date of expiry
SA	Mount Gambier (SE)	Bushvision	590.25	37	03/11/2011	06/11/2011
NSW	Sydney (SE)	ATT Unique Events Technical Solutions Pty Ltd	89.3		13/09/2011	18/09/2011
SA	Nuriootpa (SE)	Uniting Church in Australia	97.9		23/03/2012	25/03/2012
Qld	Maryborough (Qld) (SE)	Scout Association of Australia (Qld)	90.9		24/12/2012	23/01/2013
NSW	Bathurst (SE)	Jands Production Services	103.9		03/10/2011	10/10/2011
NSW	Nambucca Heads (SE)	Drag-ens Hot Rod Club	90.5		25/09/2011	02/10/2011
Vic.	Melbourne Royal Melb Golf Course (SE)	Sounddec Pty Ltd	62		14/11/2011	20/11/2011
NSW	Sydney (SE)	China Radio Network Pty Ltd	90.9		13/01/2012	11/02/2012
NSW	Sydney Olympic Park (SE)	Jands Production Services	107.9		28/11/2011	05/12/2011
Vic.	Melbourne (SE)	Australian Muslim Media Inc.	99.7		16/07/2012	24/08/2012
NSW	Catherine Fields (SE)	Watchtower Bible & Tract Society of Australia	90.3		04/02/2012	04/03/2012
Qld	Brisbane Cricket Ground (SE)	Sounddec Pty Ltd	62.7		18/02/2012	18/03/2012
Qld	Brisbane	Watchtower Bible & Tract Society of Australia	91.5		10/03/2012	01/04/2012
NSW	Tamworth (SE)	Agricultural Publishers Pty Ltd	106.1		18/01/2012	31/01/2012
Qld	Dakabin (SE)	Seventh Day Adventist Church (South Queensland Conference)	90.7		16/09/2011	24/09/2011
Vic.	Melbourne Cricket Ground (SE)	Sounddec Pty Ltd	62.7		25/12/2011	23/01/2012
WA	Wyalkatchem (SE)	Wyalkatchem Business Community Inc.	97.5		07/10/2011	09/10/2011

Qld	Brisbane (SE)	Watchtower Bible & Tract Society of Australia	91.5		02/06/2012	17/06/2012
NSW	Sydney (SE)	China Radio Network Pty Ltd	90.9		05/09/2011	04/10/2011
NSW	Catherine Fields (SE)	Watchtower Bible & Tract Society of Australia	90.3		05/05/2012	27/05/2012
NSW	Sydney (SE)	Riedel Communications Australia Pty Ltd	95.9		27/03/2012	17/04/2012
NSW	Sydney (SE)	Islamic Radio and Communication Ltd	90.9		19/07/2012	22/08/2012
ACT	Lyneham (SE)	I & J & R Ozerskis	99.5		04/01/2012	09/01/2012
Vic.	Melbourne Royal Melb Golf Course (SE)	FanVision Inc.	802.5	67	14/11/2011	20/11/2011
Qld	Ivory's Rock (SE)	Ivory's Rock Conference Centre Pty Ltd	89.3		26/08/2011	06/09/2011
WA	Fremantle (SE)	Telecommunications Integration Services Pty Ltd	807.25	68	02/12/2011	21/12/2011
NSW	Sydney (SE)	University of Sydney Union	91.5		22/08/2011	18/09/2011
Vic.	Melbourne (SE)	Australian Muslim Media Inc.	99.7		26/07/2011	04/09/2011
WA	Busselton (SE)	Murdoch University	94.9		07/01/2012	09/01/2012
ACT	Canberra (SE)	Watchtower Bible & Tract Society of Australia	99.5		06/09/2012	09/09/2012
Qld	Brisbane (SE)	Austereo Pty Ltd	95.3		29/08/2011	25/09/2011
SA	Adelaide (SE)	Watchtower Bible & Tract Society of Australia	91.1		04/02/2012	04/03/2012
NSW	Sydney (SE)	Usana Australia Pty Ltd	101.1		07/03/2012	10/03/2012
WA	Burswood Dome Perth	Watchtower Bible & Tract Society of Australia	89.1		31/03/2012	02/04/2012
ACT	Canberra (SE)		99.5		07/10/2011	09/10/2011
Vic.	Melbourne (SE)		96.9		05/05/2012	31/05/2012
NSW	Catherine Fields (SE)	Watchtower Bible & Tract Society of Australia	90.3		07/09/2012	30/09/2012
NT	Marrara S/E	Watchtower Bible & Tract Society of Australia	96.1		16/09/2011	18/09/2011
WA	Busselton (SE)	Palis Event Hire & Sales	94.9		4/05/2012	5/05/2012
NSW	Sydney (SE)	Bankstown and Surrounding Areas Community Radio Inc.	90.9		26/11/2011	25/12/2011
Qld	Brisbane	Watchtower Bible & Tract Society of Australia	91.5		9/08/2012	19/08/2012
NSW	Sydney (SE)	ATT Unique Events Technical Solutions Pty Ltd	107.9		13/09/2011	18/09/2011
NSW	Sydney Olympic Park (SE)	Watchtower Bible & Tract Society of Australia	89.5		02/08/2012	05/08/2012
Tas.	Hobart Bellerive Oval (SE)	Sounddec Pty Ltd	61.2		08/12/2011	06/01/2012
SA	Birdwood (SE)		94.3		10/03/2012	11/03/2012
ACT	Canberra (SE)	I & J & R Ozerskis	99.5		18/04/2012	23/04/2012
Vic.	Melbourne Royal Melb Golf Course (SE)	Sounddec Pty Ltd	61.2		14/11/2011	20/11/2011
NSW	Sydney (SE)	Sydney Opera House Trust	90.9		11/05/2012	11/06/2012
Vic.	Melbourne Cricket Ground (SE)	Sounddec Pty Ltd	62.7		02/02/2012	02/03/2012

Tas.	Hobart Bellerive Oval (SE)	Sounddec Pty Ltd	62.7		23/02/2012	23/03/2012
Vic.	Melton	Watchtower Bible & Tract Society of Australia	96.7		10/09/2011	25/09/2011
Qld	Gold Coast (SE)	Jands Production Services	101.7		17/10/2011	26/10/2011
NSW	Wentworth (SE)	Mallee Rover Crew/Scouts Australia	92.3		02/11/2011	08/11/2011
Qld	Ivory's Rock (SE)	Ivory's Rock Conference Centre Pty Ltd	91.9		26/08/2011	06/09/2011
Vic.	Melbourne (SE)	Rallycorp Pty Ltd	99.7		02/03/2012	04/03/2012
SA	Adelaide (SE)	Watchtower Bible & Tract Society of Australia	94.3		23/09/2011	25/09/2011
Vic.	Melbourne Rod Laver Arena (SE)	Tennis Australia Ltd	99.7		13/01/2012	31/01/2012
Vic.	Philip Island Motor Race Circuit (SE)	Australian Grand Prix	800.25	67	14/10/2011	16/10/2011
WA	Fremantle (SE)	Fremantle Sailing Club Inc.	89.1		26/11/2011	27/11/2011
NT	Alice Springs (SE)	Watchtower Bible & Tract Society of Australia	103.1		30/09/2011	02/10/2011
Vic.	Melbourne (SE)	Australian Grand Prix	99.7		12/03/2012	19/03/2012
Qld	Boyne Island	Boyne Tannum Hook Up Assoc. Inc.	103.9		07/06/2012	10/06/2012
SA	Adelaide (SE)	Watchtower Bible & Tract Society of Australia	91.1		10/03/2012	25/03/2012
WA	Bentley (SE)	3 Monkeys Audiovisual	106.5		20/08/2011	21/08/2011
WA	Perth (SE)	Western Australian Yachting Foundation	88.9		31/01/2012	03/02/2012
Qld	Ivory's Rock (SE)	Ivory's Rock Conference Centre Pty Ltd	90.3		26/08/2011	06/09/2011
NSW	Sydney Cricket Ground (SE)	Sounddec Pty Ltd	62.7		02/01/2012	30/01/2012
NT	Marrara S/E	Watchtower Bible & Tract Society of Australia	96.1		06/09/2012	09/09/2012
SA	Adelaide (SE)	South Australian Motorsport Board Pty Ltd	94.3		29/02/2012	05/03/2012
NSW	Sydney (SE)	Bankstown and Surrounding Areas Community Radio Inc.	107.9		20/07/2012	18/08/2012
Vic.	Caveat (SE)	The Scout Association of Australia Victorian Branch	94.9		06/06/2012	11/06/2012
NSW	Catherine Fields (SE)	Watchtower Bible & Tract Society of Australia	90.3		09/09/2011	18/09/2011
NSW	Sydney Cricket Ground (SE)	Sounddec Pty Ltd	62.7		31/01/2012	29/02/2012
NSW	Catherine Fields (SE)	Watchtower Bible & Tract Society of Australia	90.3		09/06/2012	08/07/2012
Vic.	Mildura (SE)	Mildura Country Music Festival Inc.	92.3		13/10/2011	01/11/2011
NSW	Sydney (SE)	Usana Australia Pty Ltd	98.9		07/03/2012	10/03/2012
Vic.	Melbourne Cricket Ground (SE)	Sounddec Pty Ltd	61.2		25/12/2011	23/01/2012
NSW	Sydney Cricket Ground (SE)	Sounddec Pty Ltd	61.2		02/01/2012	30/01/2012
SA	Adelaide Oval (SE)	Sounddec Pty Ltd	62.7		23/01/2012	21/02/2012
Vic.	Mildura (SE)	Mildura Country Music Festival Inc.	92.3		25/09/2011	10/10/2011

SA	Adelaide (SE)	Watchtower Bible & Tract Society of Australia	91.1		26/05/2012	16/06/2012
NSW	Sydney (SE)	Usana Australia Pty Ltd	99.9		07/03/2012	10/03/2012
ACT	Tuggeranong (SE)	Australian Muslim Voice Inc.	93.5		19/07/2012	26/08/2012
SA	Baroota (SE)		94.3		27/04/2012	29/04/2012
Tas.	Devonport	Burnie Ten Inc.	100.1		15/10/2011	16/10/2011
WA	Burswood Dome Perth	Watchtower Bible & Tract Society of Australia	106.5		30/08/2012	03/09/2012
Qld	Ivory's Rock (SE)	Ivory's Rock Conference Centre Pty Ltd	92.5		26/08/2011	06/09/2011
Vic.	Melbourne Royal Melb Golf Course (SE)	Sounddec Pty Ltd	62.7		14/11/2011	20/11/2011
NSW	Sydney (SE)	Australian Broadcasting Corporation	98.9		28/08/2011	02/09/2011
Qld	Brisbane (SE)	Watchtower Bible & Tract Society of Australia	91.5		04/02/2012	04/03/2012
WA	Bentley (SE)	3 Monkeys Audiovisual	106.5		04/08/2012	05/08/2012
Tas.	Hobart Bellerive Oval (SE)	Sounddec Pty Ltd	61.2		23/02/2012	23/03/2012
SA	Murray Bridge (SE)	Bob's Sound Systems Pty Ltd	681.25	50	14/09/2011	18/09/2011
Qld	Brisbane Cricket Ground (SE)	Sounddec Pty Ltd	62.7		30/11/2011	29/12/2011
NSW	Sydney (SE)	Usana Australia Pty Ltd	90.7		07/03/2012	10/03/2012
Vic.	Melbourne (SE)	University of Melbourne	96.9		24/08/2011	23/09/2011
WA	Newdegate	Palis Event Hire & Sales	93.1		07/09/2011	08/09/2011
Qld	Townsville (SE)	Jands Production Services	96.3		03/07/2012	09/07/2012
Vic.	Bendigo	Watchtower Bible & Tract Society of Australia	94.7		16/09/2011	18/09/2011
Qld	Brisbane (SE)	Watchtower Bible & Tract Society of Australia	91.5		21/04/2012	20/05/2012
NSW	St Albans (SE)	Shahzada 400 Inc.	89.5		18/08/2012	01/09/2012
SA	Adelaide Oval (SE)	Sounddec Pty Ltd	61.2		05/03/2012	03/04/2012
Vic.	Springvale	McCall Communications Pty Ltd	99.7		10/09/2012	16/09/2012
SA	Adelaide Oval (SE)	Sounddec Pty Ltd	62.7		05/03/2012	03/04/2012
Qld	Maroochydore (SE)	Sunshine Coast Broadcasters Pty Ltd	98.5		22/06/2012	22/06/2012
Vic.	Melton (SE)	Watchtower Bible & Tract Society of Australia	96.7		19/05/2012	10/06/2012
WA	Burswood Dome Perth	Watchtower Bible & Tract Society of Australia	89.1		05/05/2012	03/06/2012
Qld	Townsville (SE)	Australian Broadcasting Corporation	105.1		29/10/2011	30/10/2011
NSW	Sydney Olympic Park (SE)	Watchtower Bible & Tract Society of Australia	89.5		21/04/2012	22/04/2012
NSW	Sydney Cricket Ground (SE)	Sounddec Pty Ltd	61.2		31/01/2012	29/02/2012
Tas.	Hobart Bellerive Oval (SE)	Sounddec Pty Ltd	62.7		08/12/2011	06/01/2012
ACT	Canberra (SE)	I & J & R Ozerskis	99.5		20/02/2012	26/02/2012
Vic.	Melbourne Cricket Ground (SE)	Sounddec Pty Ltd	61.2		02/02/2012	02/03/2012

Vic.	Melbourne/Albert Park Raceway (SE)	FanVision Inc.	802.5	67	15/03/2012	18/03/2012
NSW	Sydney (SE)	Usana Australia Pty Ltd	89.3		07/03/2012	10/03/2012
NSW	Sydney (SE)	2CR China Radio Network Pty Ltd	91.5		03/09/2012	02/10/2012
Vic.	Melbourne (SE)	University of Melbourne	96.9		01/08/2011	23/08/2011
Vic.	Melton (SE)	Watchtower Bible & Tract Society of Australia	96.7		10/03/2012	18/03/2012
ACT	Canberra (SE)	I & J & R Ozerskis	99.5		26/10/2011	30/10/2011
Qld	Brisbane Cricket Ground (SE)	Sounddec Pty Ltd	61.2		18/02/2012	18/03/2012
WA	Burswood Dome Perth	Watchtower Bible & Tract Society of Australia	89.1		09/06/2012	17/06/2012
NSW	Sydney (SE)	Islamic Radio and Communication Ltd	90.9		18/10/2011	16/11/2011
Vic.	Springvale	McCall Communications Pty Ltd	99.7		14/11/2011	20/11/2011
Vic.	Melbourne (SE)	University of Melbourne	96.9		20/07/2011	31/07/2011
ACT	Tuggeranong (SE)	Australian Muslim Voice Inc.	99.5		19/07/2012	26/08/2012
SA	Baroota (SE)		94.3		21/07/2011	24/07/2011
ACT	Canberra (SE)		99.5		23/03/2012	25/03/2012
ACT	Canberra (SE)	Australian Muslim Voice Inc.	99.5		29/07/2011	4/09/2011
Vic.	Melton (SE)	Watchtower Bible & Tract Society of Australia	96.7		04/02/2012	04/03/2012
SA	Adelaide (SE)	Staging Connections Pty Ltd	94.3		17/11/2011	20/11/2011
Vic.	Anglesea (SE)		91.1		04/04/2012	10/04/2012
Vic.	Elmore	Seventh-day Adventist Church (Victorian Conference) Ltd	98.1		04/04/2012	10/04/2012
WA	Dowerin (SE)	Palis Event Hire & Sales	103.9		24/08/2011	25/08/2011
WA	WACA Ground (SE)	Sounddec Pty Ltd	62.7		12/01/2012	10/02/2012
Qld	Ivory's Rock (SE)	Ivory's Rock Conference Centre Pty Ltd	93.5		26/08/2011	06/09/2011
SA	Adelaide Oval (SE)	Sounddec Pty Ltd	61.2		23/01/2012	21/02/2012
NSW	Catherine Fields (SE)	Watchtower Bible & Tract Society of Australia	90.3		24/03/2012	22/04/2012
NSW	Catherine Fields (SE)	Watchtower Bible & Tract Society of Australia	90.3		10/08/2012	26/08/2012
ACT	Tuggeranong (SE)	Australian Muslim Voice Inc.	93.5		29/07/2011	04/09/2011
Qld	Ivory's Rock (SE)	Ivory's Rock Conference Centre Pty Ltd	91.1		26/08/2011	06/09/2011
Vic.	Mildura (SE)	Ulysses Club Inc.	92.3		23/03/2012	02/04/2012
SA	Adelaide (SE)	Watchtower Bible & Tract Society of Australia	91.1		19/04/2012	18/05/2012
WA	Burswood Dome Perth	Watchtower Bible & Tract Society of Australia	89.1		18/02/2012	26/02/2012
Vic.	Melbourne Rod Laver Arena (SE)	Watchtower Bible & Tract Society of Australia	89.5		23/08/2012	26/08/2012
WA	WACA Ground (SE)	Sounddec Pty Ltd	61.2		12/01/2012	10/02/2012
NSW	Sydney Suburbs (SE)	Australian Film Television & Radio School	107.9		05/04/2012	18/04/2012

Qld	Brisbane Cricket Ground (SE)	Sounddec Pty Ltd	61.2	30/11/2011	29/12/2011
Vic.	Melton (SE)	Watchtower Bible & Tract Society of Australia	96.7	19/04/2012	18/05/2012
Vic.	Melbourne (SE)	Melbourne City Council	99.7	31/12/2011	01/01/2012

Appendix 5:

Programs and content

Table 55: Programs granted children's or preschool classification, 2011–12

Program title	Style	Type	Origin	Applicant
Children's—C				
<i>It's Academic</i> (series 15 & 16, episodes 1–130)	Live action	Light entertainment—Competition/Game show	Australia	Seven Network (Operations) Ltd
<i>Kitchen Whiz</i> (series 3 & 4, episodes KW03/01–KW03/65, KW04/01–KW04/67)	Live action	Light entertainment—Competition/Game show	Australia	Ambience Entertainment Pty Ltd
<i>Lab Rats Challenge</i> (series 2, episodes 1–65)	Live action	Light entertainment—Competition/Game show	Australia	Beyond Screen Productions Pty Ltd
<i>Match It</i> (series 1, episodes 1–65)	Live action	Light entertainment—Competition/Game show	Australia	Cornerbox Creative Pty Ltd
<i>Pyramid</i> (series 5, episodes PYR05/01–PRY05/68)	Live action	Light entertainment—Competition/Game show	Australia	Ambience Entertainment Pty Ltd
<i>Totally Wild</i> (series 20, episodes TW20/1–TW20/180)	Live action	Light entertainment—Magazine	Australia	Network TEN Pty Ltd
Provisional—PRC				
<i>Amazing Super Buddies</i> (series 1, episodes 1–13)	Animation	Other program	Australia	White Wizard Animation
<i>Ghosts of Time</i> (series 1, episodes 1–26)	Animation	Drama—Series	Australia	Three's a Company Pty Ltd
<i>I Was a Teenage Fairy Tale Dropout</i> (series 1, episodes 1–26)	Animation	Drama—Series	Australia	SLR Productions Pty Ltd
<i>In Your Dreams</i> (series 1, episodes 1–26)	Live action	Drama—Series	Australia	Southern Star Entertainment Pty Ltd
<i>Jar Dwellers SOS</i> (series 1, episodes 1–52)	Animation	Drama—Series	Australia	Viskatoons Animation
<i>Once Upon a Dream</i> (series 1, episodes OUDC/001–OUDC/006)	Live action	Information—Other	Australia	Network TEN Pty Ltd
<i>Sam Fox: Extreme Adventures</i> (series 1, episodes 1–26)	Live action	Drama—Series	Australia	SLR Productions Pty Ltd
<i>The Buzz Bumble Show</i> (series 1, episodes 1–52)	Animation	Drama—Series	Australia	Blue Rocket Productions Pty Ltd
<i>The Pods</i> (series 1, episodes 1–26)	Live action	Drama—Series	Australia	Galaxy Pop Pty Ltd
<i>Vic the Viking</i> (series 1, episodes 1–78)	Animation	Drama—Series	Australia	Avrill Stark Entertainment Pty Ltd

Preschool—P				
<i>Hi-5</i> (series 13, episodes 1–45)	Live action/ Animation/ Puppetry	Light entertainment— Magazine	Australia	Southern Star Productions No.3 Pty Ltd
<i>Magical Tales</i> (series 3, episodes 1–45)	Live action	Drama—Series	Australia	Ambience Entertainment Pty Ltd
<i>The Workers</i> (series 2, episodes 1–50)	Live action	Light entertainment— Variety	Australia	Southern Cross Austereo Pty Ltd
<i>Toybox</i> (series 3, episodes 161–245)	Live action	Light entertainment— Variety	Australia	Beyond Screen Productions Pty Ltd
<i>Wurrawhy</i> (series 2, episodes WURP2/001–WURP2/130)	Live action	Light entertainment— Variety	Australia	Network TEN Pty Ltd
<i>Yamba's Playtime</i> (series 2, episodes 1–10)	Live action	Light entertainment— Variety	Australia	Imparja Television Pty Ltd
Australian children's drama—CD				
<i>Dennis and Gnasher</i> (series 2, episodes 1–26)	Animation	Drama—Series	Australia	Sticky Pictures Pty Ltd
<i>Ghosts of Time</i> (series 1, episodes 1–26)	Animation	Drama—Series	Australia	Three's a Company Pty Ltd
<i>Mako: Island of Secrets</i> (series 1, episodes 1–13)	Live action	Drama—Series	Australia	Jonathan M Shiff Productions Pty Ltd
<i>Mako: Island of Secrets</i> (series 1, episodes 14–26)	Live action	Drama—Series	Australia	Jonathan M Shiff Productions Pty Ltd
<i>Shezow</i> (series 1, episodes 101A–103B)	Animation	Drama—Series	Australia	Shezow Productions Pty Ltd
<i>Shezow</i> (series 1, episodes 104A–108B)	Animation	Drama—Series	Australia	Shezow Productions Pty Ltd

Table 56: Children's television consultants, 2011–12

Name	Expertise
Donna Andrews	Child development/Production
Dina Browne	Production
Robert Greenberg	Production/Script writer
Stephen Measday	Production/Script writer
Fiona Mitchell	Child development
Rita Princi	Child development
Gina Roncoli	Production/Script writer

Appendix 6:

Broadcasting investigations outcomes 2011–12

Table 57: ACMA investigations 1 July 2011 to 30 June 2012

Commercial television				
Breach findings: 38				
Station	Investigation number	Program or issue	Substance of complaint	Outcome
ATN Channel Seven Sydney Pty Ltd NSW	2544	McDonald's advertisement/ Channel 7 station identifier	Children's Television Standards.	Breach—advertisement broadcast during P period.* Breach—advertisement was not clearly distinguishable as such to a child viewer.* Breach—material contained promotion of commercial products and services by proprietary characters.*
ATN Channel Seven Sydney Pty Ltd NSW	2645	<i>WWII Lost Films—The Air War</i>	No captions.	Breach—captioning.*
ATN Channel Seven Sydney Pty Ltd NSW	2758	<i>Good Christian Bitches</i> (program promotion)	Program promotions ridiculed Christian women and contained inappropriate language.	Breach—restrictions in PG programs in certain time periods. No breach—restrictions in G or PG programs at 8.30 pm. No breach—dislike, contempt or ridicule on grounds of gender and religion.
NBN NBN Ltd NSW	2588	<i>TV Week Logie Awards</i>	No captions.	Breach—captioning.*
NEN (7mate) Prime Television (Northern) Pty Ltd NSW	2634	<i>Air Force One</i>	Quality of captions.	Breach—captioning.*
NEN Prime Television (Northern) Pty Ltd NSW	2646	<i>WWII Lost Films—The Air War</i>	No captions.	Breach—captioning.*
NEN Prime Television (Northern) Pty Ltd NSW	2612	<i>Prime Local News</i>	Quality of captions.	Breach—captioning.*

NEN Prime Television (Northern) Pty Ltd NSW	2756	<i>Seven News</i>	No captions.	Breach—captioning.*
NRN (Eleven) Northern Rivers Television Pty Ltd NSW	2687	<i>Everybody Loves Raymond</i>	Quality of captions.	Breach—captioning.*
TCN Channel Nine Sydney Pty Ltd NSW	2605	<i>A Current Affair</i>	Errors of fact, misleading simulations and unfair identification of a single person in a story about speed cameras. Complaints-handling issue.	Breach—accuracy. No breach—representation of viewpoints. No breach—exercise care in G classification zone. No breach—complaints-handling.
TCN Channel Nine Pty Ltd NSW	2623	<i>60 Minutes</i>	Regard to feelings of relatives, provide warning, accuracy and viewpoints.	Breach—regard to feelings of relatives. Breach—provide warning. No breach—accuracy and viewpoints.
TCN Channel Nine Pty Ltd NSW	2686	<i>NRL First Preliminary Final</i>	Paid political advertisement broadcast without required particulars during rugby league commentary. Complaints-handling issue.	Breach—complaints-handling. No breach—identification of political matter.* No breach—distinction between commercials and program material. No breach—distinction between paid material and other program material. No breach—disclosure of commercial arrangements.
TEN Network TEN (Sydney) Pty Ltd NSW	2574	<i>Ten Evening News</i>	Accuracy and privacy.	Breach—complaints-handling. No breach—accuracy. No breach—privacy.
TEN Network TEN (Sydney) Pty Ltd NSW	2682	<i>Jamie's 30-Minute Meals</i>	No captions.	Breach—captioning.*
TEN Network TEN (Sydney) Pty Ltd NSW	2830	<i>Puzzle Play</i>	Children's Television Standards.	Breach—broadcast for a fourth time in five years.* Breach—not broadcast P material on a weekday.*
ATV Network TEN (Melbourne) Pty Ltd Vic.	2828	<i>Puzzle Play</i>	Children's Television Standards.	Breach—broadcast for a fourth time in five years.* Breach—not broadcast P material on a weekday.*
GTV General Television Corporation Pty Ltd Vic.	2558	<i>Two and a Half Men</i>	Captioning out of sync with words.	Breach—captioning.*

GTV General Television Corporation Pty Ltd Vic.	2689	<i>Two and a Half Men</i>	Quality of captions.	Breach—captioning.*
GTV General Television Corporation Pty Ltd Vic.	2719	<i>A Current Affair</i>	Factual inaccuracies, unfair identification of a person and use of personal material in segment about Centrelink fraudsters.	Breach—privacy. Breach—privacy of a child. Breach—unfairly identify. No breach—accuracy.
GTV General Television Corporation Pty Ltd Vic.	2747	<i>The Celebrity Apprentice Australia</i>	Final episode was continuous advertisement for Yellow Brick Road. Complaints-handling issue.	Breach—complaints-handling. No breach—time limits on non- program matter.
GTV General Television Corporation Pty Ltd Vic.	2786	<i>Channel Nine News</i>	Wrong and unfair implications. Complaints-handling issue.	Breach—complaints-handling. No breach—accuracy and representation of viewpoints.
HSV Channel Seven Melbourne Pty Ltd Vic.	2546	McDonald's advertisement/ Channel 7 station identifier	Children's Television Standards.	Breach—advertisement broadcast during P period.* Breach—advertisement was not clearly distinguishable as such to a child viewer.* Breach—material contained promotion of commercial products and services by proprietary characters.*
HSV Channel Seven Melbourne Pty Ltd Vic.	2758	<i>Good Christian Bitches</i> (program promotion)	Program promotions ridiculed Christian women and contained inappropriate language.	Breach—restrictions in PG programs in certain time periods. No breach—restrictions in G or PG programs at 8.30 pm. No breach—dislike, contempt or ridicule on grounds of gender and religion.
BTQ Channel Seven Brisbane Pty Ltd Qld	2545	McDonald's advertisement/ Channel 7 station identifier	Children's Television Standards.	Breach—advertisement broadcast during P period.* Breach—advertisement was not clearly distinguishable as such to a child viewer.* Breach—material contained promotion of commercial products and services by proprietary characters.*
BTQ Channel Seven Brisbane Pty Ltd Qld	2758	<i>Good Christian Bitches</i> (program promotion)	Program promotions ridicule Christian women and contained inappropriate language.	Breach—restrictions in PG programs in certain time periods No breach—restrictions in G or PG programs at 8.30 pm. No breach—dislike, contempt or ridicule on grounds of gender and religion.
BTQ Channel Seven Brisbane Pty Ltd Qld	2824	2011 preschool (P) program quota	Children's Television Standards.	Breach—P program quota.* Breach—not broadcast P program during P period.* Breach—not broadcast P material on a weekday.*
QTV Queensland Television Ltd Qld	2556	<i>Channel Nine News</i>	Accuracy, fairness and impartiality.	Breach—fairness and impartiality. No breach—accuracy.

RTQ WIN Television QLD Pty Ltd Qld	2653	<i>A Current Affair</i> (program promotion)	Inappropriate depictions of violence. No response to complaint.	Breach—promotions for news, current affairs, sport and certain other programs. Breach—complaints-handling.
STQ Channel Seven Queensland Pty Ltd Qld	2584	<i>Seven Local News</i>	Invasion of child's privacy and inaccurate reportage in item about a trial. Complaints-handling issue.	Breach—accuracy. No breach—privacy. No breach—privacy of a child. No breach—complaints-handling.
STQ Channel Seven Queensland Pty Ltd Qld	2758	<i>Good Christian Bitches</i> (program promotion)	Program promotions ridiculed Christian women and contained inappropriate language.	Breach—restrictions in PG programs in certain time periods. No breach—restrictions in G or PG programs at 8.30 pm. No breach—dislike, contempt or ridicule on grounds of gender and religion.
TVQ Network TEN (Brisbane) Pty Ltd Qld	2826	<i>Puzzle Play</i>	Children's Television Standards.	Breach—broadcast for a fourth time in five years.* Breach—not broadcast P material on a weekday.*
ADS Network TEN (Adelaide) Pty Ltd SA	2774	<i>Being Human</i> (program promotion)	Classification of program promotion.	Breach—display of classification symbols. No breach—restrictions on program promotions in PG time period.
ADS Network TEN (Adelaide) Pty Ltd SA	2771	<i>Tropic Thunder</i>	Inappropriate depictions of violence, drug use and coarse language and sexual references at the M classification.	Breach—modification of MA15+ films for broadcast at M classification.
ADS Network TEN (Adelaide) Pty Ltd SA	2825	<i>Puzzle Play</i>	Children's Television Standards.	Breach—broadcast for a fourth time in five years.* Breach—not broadcast P material on a weekday.*
NWS Channel 9 South Australia Pty Ltd SA	2664	<i>Friday the 13th</i>	Inappropriate violence and sex scenes for the AV15+ classification.	Breach—broadcast of modified R18+ films.*
NWS Channel 9 South Australia Pty Ltd SA	2677	<i>Today</i>	Sex scene inappropriate for morning television; no response to complaint.	Breach—complaints-handling. No breach—excerpts from certain feature films.
SAS Channel Seven Adelaide Pty Ltd SA	2547	McDonald's advertisement/ Channel 7 station identifier	Children's Television Standards.	Breach—advertisement broadcast during P period.* Breach—advertisement was not clearly distinguishable as such to a child viewer.* Breach—material contained promotion of commercial products and services by proprietary characters.*

SAS Channel Seven Adelaide Pty Ltd SA	2472	<i>Channel Seven News</i>	Tobacco advertising.	Breach—tobacco advertising.*
SAS Channel Seven Adelaide Pty Ltd SA	2758	<i>Good Christian Bitches</i> (program promotion)	Program promotions ridiculed Christian women and contained inappropriate language.	Breach—restrictions in PG programs in certain time periods. No breach—restrictions in G or PG programs at 8.30 pm. No breach—dislike, contempt or ridicule on grounds of gender and religion.
NEW Network TEN (Perth) Pty Ltd WA	2829	<i>Puzzle Play</i>	Children's Television Standards.	Breach—broadcast for a fourth time in five years.* Breach—not broadcast P material on a weekday.*
TWV Channel Seven Perth Pty Ltd WA	2548	McDonald's advertisement/ Channel 7 station identifier	Children's Television Standards.	Breach—advertisement broadcast during P period.* Breach—advertisement was not clearly distinguishable as such to a child viewer.* Breach—material contained promotion of commercial products and services by proprietary characters.*
TWV Channel Seven Perth Pty Ltd WA	2758	<i>Good Christian Bitches</i> (program promotion)	Program promotions ridiculed Christian women and contained inappropriate language.	Breach—restrictions in PG programs in certain time periods. No breach—restrictions in G or PG programs at 8.30 pm. No breach—dislike, contempt or ridicule on grounds of gender and religion.
WIN WIN Television NSW Pty Ltd ACT	2625	<i>60 Minutes</i>	Complaints-handling issue.	Breach—complaints-handling.
Non-breach findings: 72				
ATN Channel Seven Sydney Pty Ltd NSW	2573	<i>Channel Seven News</i>	Misleading and selective footage of comment made by Leader of the Opposition in Afghanistan.	No breach—accuracy. No breach—present news fairly and impartially.
ATN Channel Seven Sydney Pty Ltd NSW	2628	<i>Ferndale Slim Fruits</i>	Children's Television Standards.	No breach—did not mislead or deceive children.* No breach—did not contain any incorrect or misleading information on the nutritional value of the product.*
ATN Channel Seven Sydney Pty Ltd NSW	2650	<i>Channel Seven News</i>	News item deliberately misrepresented Sydney Council, disregarded the sensitivities of Australian Aborigines and was biased.	No breach—cultural sensitivities. No breach—dislike against a group of persons on the grounds of race. No breach—representation of viewpoints in a news program. No breach—fair and impartial presentation of news.
ATN Channel Seven Sydney Pty Ltd NSW	2721	<i>Today Tonight</i>	Distress caused to witness by reporter's questioning in segment about a fatal house fire.	No breach—exercising sensitivity in broadcasting an interview with a witness of a traumatic incident.
ATN Channel Seven Sydney Pty Ltd NSW	2728	<i>Sunrise</i>	The program conveyed inaccurate and damaging statements about a company.	No breach—accuracy. No breach—unfair identification.

ATN Channel Seven Sydney Pty Ltd NSW	2711	<i>Today Tonight</i>	Provocation of hatred of asylum seekers; lives of asylum seekers put at risk by unpixelated footage.	No breach—dislike, contempt or ridicule on grounds of national origin. No breach—privacy.
ATN Channel Seven Sydney Pty Ltd NSW	2736	<i>Today Tonight</i>	Segment about Australian New Muslim Association contained factual inaccuracies.	No breach—accuracy.
ATN Channel Seven Sydney Pty Ltd NSW	2791	<i>Australian Open</i>	Term 'mental case' was offensive and disparaging.	No breach—dislike, contempt or ridicule on grounds of disability.
CBN Prime Television (Southern) Pty Ltd NSW	2765	<i>Good Christian Bitches</i> (program promotion)	Program promotions ridiculed Christian women.	No breach—dislike, contempt or ridicule on grounds of gender and religion.
CTC Australian Capital Television Pty Ltd NSW	2651	<i>Couch Time</i>	Inappropriate language for the PG time zone.	No breach—classification of other material. No breach—the PG classification (language).
CTC Australian Capital Television Pty Ltd NSW	2562	<i>The Office</i> (program promotion)	Inappropriate language for the PG time zone.	No breach—restrictions in PG programs in certain time periods. No breach—the PG classification (language).
NBN NBN Ltd NSW	2737	<i>The Mentalist</i>	Quality of captions.	No breach—captioning.*
NBN NBN Ltd NSW	2809	<i>Beaconsfield</i>	Inappropriate language at the M classification.	No breach—classification of material (M language).
NBN (GEM) NBN Ltd NSW	2775	<i>When Harry Met Sally</i>	No captions provided.	No breach—captioning.*
NBN NBN Ltd NSW	2695	<i>Sunday Roast</i>	Promotion of politics in sports segment.	No breach—political matter.*
TCN TCN Channel Nine Pty Ltd NSW	2593	<i>60 Minutes</i>	Omission of material and disproportionate platform to racist views in segment about multicultural tensions.	No breach—accuracy. No breach—dislike, contempt or ridicule on grounds of religion.
TCN TCN Channel Nine Pty Ltd NSW	2599	<i>Today Show</i>	Reference to World War II concentration camp as 'Polish' was misleading and deeply offensive.	No breach—cultural sensitivities. No breach—accuracy.
TCN TCN Channel Nine Pty Ltd NSW	2635	<i>Channel Nine News</i>	Fairness and impartiality.	No breach—fairness and impartiality. No breach—accuracy.
TCN TCN Channel Nine Pty Ltd NSW	2630	<i>Blood Brothers</i>	Captioning did not meet requirements.	No breach—captioning.*
TCN Channel Nine Pty Ltd NSW	2707	<i>Channel Nine News</i>	Present news item fairly and impartially.	No breach—fairness and impartiality in news.
TCN Channel Nine Pty Ltd NSW	2760	3rd cricket test versus India	Broadcast contained racist comments.	No breach—contempt on grounds of national origin.

TCN Channel Nine Pty Ltd NSW	2725	<i>A Current Affair</i>	Inaccuracies and use of personal photos and film in segment 'Wicked Stepmother'.	No breach—accuracy. No breach—privacy.
TCN Channel Nine Pty Ltd NSW	2726	<i>Vodafone Test Series—Australia v New Zealand</i>	Opening sequence and classic catches segment contain tobacco advertisement.	No breach—tobacco advertising.*
TEN Network TEN (Sydney) Pty Ltd NSW	2649	<i>Can of Worms</i>	Frequent use of coarse language in an M-classified program.	No breach—classification of other material. No breach—the M classification (coarse language).
TEN Network TEN (Sydney) Pty Ltd NSW	2629	Advertisement for Topps Push Pop	Children's Television Standards.	No breach—did not mislead or deceive children.* No breach—did not state or imply the product makes children superior to their peers.* No breach—product size sufficiently clear.*
TEN Network TEN (Sydney) Pty Ltd NSW	2633	<i>TEN News at Five</i>	No warnings before distressing animal cruelty imagery.	No breach—warning before broadcasting material that may distress or offend.
TEN Network TEN (Sydney) Pty Ltd NSW	2683	<i>Can of Worms</i> (program promotion)	Inappropriate sexual references for the PG time zone.	No breach—restrictions in PG programs in certain time periods. No breach—the PG classification (sex and nudity). No breach—display of classification symbols.
TEN Network TEN (Sydney) Pty Ltd NSW	2691	<i>Can of Worms</i> (program promotion)	Inappropriate sexual references for the PG time zone.	No breach—restrictions in PG programs in certain time periods. No breach—the PG classification (sex and nudity). No breach—display of classification symbols.
TEN Network TEN (Sydney) Pty Ltd NSW	2709	<i>The Bolt Report</i>	Inaccuracies about climate change. Complaints-handling issue.	No breach—accuracy. No breach—complaints-handling.
ATV Network TEN (Melbourne) Pty Ltd Vic.	2620	<i>Sons of Anarchy</i> (program promotion)	Depictions of violence could not be accommodated at the PG classification.	No breach—restrictions in G or PG programs at 8:30 pm. No breach—the PG classification (violence).
ATV Network TEN (Melbourne) Pty Ltd Vic.	2782	<i>It's a Knockout</i>	Advertising material not distinguished from program content. No response to complaint.	No breach—presentation of broadcast material. No breach—promotion of products or services in programs directed to children. No breach—complaints-handling.
GLV Southern Cross Communications Pty Ltd Vic.	2643	<i>Can of Worms</i> (program promotion)	Inappropriate sexual references in a program promotion broadcast during a PG viewing period.	No breach—restrictions in PG programs in certain time periods. No breach—the PG classification (sex and nudity).
GTV General Television Corporation Pty Ltd Vic.	2701	<i>A Current Affair</i>	Report on gypsies contained factual inaccuracies and incited hatred.	No breach—accuracy. No breach—gratuitous emphasis on ethnic origin and race. No breach—dislike, contempt or ridicule on grounds of ethnic origin and race.
GTV General Television Corporation Pty Ltd Vic.	2720	<i>Channel Nine News</i>	Program contained factual inaccuracies.	No breach—accuracy.

GTV General Television Corporation Pty Ltd Vic.	2778	<i>2 Broke Girls</i>	Inappropriate language and sexual references at the PG classification.	No breach—classification of material (PG language and themes).
GTV General Television Corporation Pty Ltd Vic.	2816	<i>The Footy Show</i>	Depictions promoting illegal drug use.	No breach—promotion of illegal drugs.
HSV Channel Seven Melbourne Pty Ltd Vic.	2703	<i>Today Tonight</i>	Incitement of hatred and panic in a story focused on the Muslim community.	No breach—dislike, contempt or ridicule on grounds of religion. No breach—accuracy. No breach—public panic. No breach—gratuitous emphasis on religion.
HSV Channel Seven Melbourne Vic.	2769	<i>Australia's Got Amazing Talent</i>	Inappropriate language at the PG classification. Complaints-handling issue.	No breach—classification of material (PG language). No breach—complaints-handling.
VTW WIN Television VIC Pty Ltd Vic.	2610	<i>Mogambo</i>	Film contained inappropriate themes at the PG classification.	No breach—classification of films.
BTQ Channel Seven Brisbane Pty Ltd Qld	2577	<i>Today Tonight</i>	Sensationalised segment about Chinese apple imports likely to result in alienation of Chinese community.	No breach—dislike, contempt or ridicule on the grounds of race. No breach—accuracy. No breach—gratuitous emphasis.
BTQ Channel Seven Brisbane Pty Ltd Qld	2796	<i>Sunday Night</i>	Distressing report on suicide. Complaints-handling issue.	No breach—reports of suicide. No breach—distress to viewers/ provide warnings. No breach—complaints-handling.
QTQ Queensland Television Ltd Qld	2713	<i>Nine News</i>	Inappropriate nudity in a news program.	No breach—classification exception for news, current affairs and broadcasts of sporting events.
QTQ Queensland Television Ltd Qld	2640	<i>A Current Affair</i>	Accuracy. Complaints-handling issue.	No breach—accuracy. No breach—complaints-handling.
QTQ Queensland Television Ltd Qld	2699	<i>A Current Affair</i>	Accuracy and viewpoints.	No breach—accuracy and viewpoints.
QTQ Queensland Television Ltd Qld	2732	<i>Today</i>	Photograph of Santa Claus smoking a cigarette contravened government ban on tobacco advertising.	No breach—tobacco advertising.*
QTQ Queensland Television Ltd Qld	2820	<i>The Block</i>	Inappropriate language at the PG classification.	No breach—classification of material (PG language).
TNQ Regional Television Pty Ltd Qld	2696	<i>The Sweetest Thing</i>	Inappropriate sexual references for the M classification.	No breach—classification of films (M—sexual references).
GTS Spencer Gulf Telecasters Pty Ltd SA	2621	<i>Everybody Loves Raymond</i> (program promotion)	Inappropriate coarse language at the PG classification.	No breach—multi-channel appendix—PG classification zones (coarse language).

NWS Channel 9 South Australia Pty Ltd SA	2604	<i>Australia's Funniest Home Videos</i>	Inappropriate themes and nudity at the PG classification.	No breach—classification of other material. No breach—the PG classification (sex and nudity). No breach—complaints-handling.
NWS Channel 9 South Australia Pty Ltd SA	2662	<i>Wolf Creek</i>	Inappropriate violence and coarse language for the AV15+ classification.	No breach—broadcast of modified R18+ films.*
NWS Channel 9 South Australia Pty Ltd SA	2663	<i>Pulp Fiction</i>	Inappropriate violence and coarse language for the AV15+ classification.	No breach—broadcast of modified R18+ films.*
NWS Channel 9 South Australia Pty Ltd SA	2665	<i>The Last Boy Scout</i>	Inappropriate violence and coarse language for the AV15+ classification.	No breach—broadcast of modified R18+ films.*
NWS Channel 9 South Australia Pty Ltd SA	2666	<i>Fight Club</i>	Inappropriate adult themes for the AV15+ classification.	No breach—broadcast of modified R18+ films.*
NWS Channel 9 South Australia Pty Ltd SA	2667	<i>Hard to Kill</i>	Inappropriate violence for the AV15+ classification.	No breach—broadcast of modified R18+ films.*
NWS WIN Corporation Pty Ltd SA	2770	<i>V</i>	Inappropriate violence for the M classification.	No breach—M classification (violence).
NWS Channel 9 South Australia Pty Ltd SA	2798	<i>Nine News</i>	Inappropriate language in a news broadcast.	No breach—care in selecting material for news and current affairs broadcasts.
SAS Channel Seven Adelaide Pty Ltd SA	2580	<i>My Kitchen Rules</i>	Use of word 'retarded' had potential to support oppression experienced by people living with intellectual disability.	No breach—dislike, contempt or ridicule on the grounds of disability.
SAS Channel Seven Adelaide Pty Ltd SA	2654	<i>The Hitcher</i>	Inappropriate violence for the AV15+ classification.	No breach—broadcast of modified R18+ films.*
SAS Channel Seven Adelaide Pty Ltd SA	2655	<i>American Psycho</i>	Inappropriate violence and sex scenes for the AV15+ classification.	No breach—broadcast of modified R18+ films.*
SAS Channel Seven Adelaide Pty Ltd SA	2656	<i>Scarface</i>	Inappropriate violence for the AV15+ classification.	No breach—broadcast of modified R18+ films.*
SAS Channel Seven Adelaide Pty Ltd SA	2657	<i>Playback</i>	Inappropriate sexual activity for the MA15+ classification.	No breach—broadcast of modified R18+ films.*
SAS Channel Seven Adelaide Pty Ltd SA	2658	<i>Kill Bill Vol. 1</i>	Inappropriate violence for the AV15+ classification.	No breach—broadcast of modified R18+ films.*
SAS Channel Seven Adelaide Pty Ltd SA	2659	<i>Cover Me</i>	Inappropriate sexual activity for the AV15+ classification.	No breach—broadcast of modified R18+ films.*

SAS Channel Seven Adelaide Pty Ltd SA	2660	<i>Ringer</i>	Inappropriate sexual activity for the MA15+ classification.	No breach—broadcast of modified R18+ films.*
SAS Channel Seven Adelaide Pty Ltd SA	2661	<i>Apocalypse Now</i>	Inappropriate violence for the AV15+ classification.	No breach—broadcast of modified R18+ films.*
SAS Channel Seven Adelaide Pty Ltd SA	2729	<i>Today Tonight</i>	The use of the term 'welfare gravy train' is inaccurate and vilifies Australian Indigenous people and children.	No breach—cultural sensitivities. No breach—dislike, contempt or ridicule on grounds of age and race. No breach—accuracy.
SAS Channel Seven Adelaide Pty Ltd SA	2780	<i>Today Tonight</i>	Omission of important information and contempt for disability pensioners in segments about welfare recipients.	No breach—dislike, contempt or ridicule on grounds of disability. No breach—accuracy.
NEW Network TEN (Perth) Pty Ltd WA	2611	<i>Offspring</i> (program promotion)	Verbal references to sexual activity could not be accommodated at the PG classification.	No breach—restrictions in PG programs in certain time periods. No breach—the PG classification (sex and nudity).
NEW Network TEN (Perth) Pty Ltd WA	2678	<i>Sons of Anarchy</i> (program promotion)	Inappropriate violence for the PG time zone.	No breach—restrictions in PG programs in certain time periods. No breach—the PG classification (violence).
STW Swan Television & Radio Broadcasters Pty Ltd WA	2690	<i>Channel Nine News</i>	Biased reportage and creation of public panic about carbon tax.	No breach—fairness and impartiality in news. No breach—public panic.
TVW Channel Seven Perth Pty Ltd WA	2594	<i>Channel Seven News</i>	Unfair interviews about future of an AFL coach. Inaccurate promotion for interviews.	No breach—representation of viewpoints in a news program. No breach—fair presentation of news in a news program. No breach—accuracy of a promotion for a news program.
WIN WIN Television NSW Pty Ltd ACT	2746	<i>Channel Nine News</i>	Biased reportage of pay increase for Federal politicians.	No breach—fairness and impartiality in news.

*Investigation against a licence condition.

ABC television				
Non-breach findings: 40				
Station	Investigation number	Program or issue	Substance of complaint	Outcome
ABN ABC TV NSW	2590	<i>Lateline</i>	Right-wing bias in coverage of debate on proposed carbon tax.	No breach—not unduly favour one perspective over another.
ABN ABC TV NSW	2619	<i>7.30</i>	Interviewer's behaviour towards politician interviewees far from impartial.	No breach—impartiality.
ABN ABC TV NSW	2642	<i>Hungry Beast</i>	Segment was inaccurate and biased.	No breach—accuracy. No breach—not materially mislead. No breach—impartiality. No breach—not unduly favouring one perspective over another.
ABN ABC TV NSW	2680	<i>ABC News</i>	Prejudiced comments against Germans.	No breach—stereotypes or discriminatory content.
ABN ABC TV NSW	2644	<i>Four Corners</i>	Program about the Sri Lankan civil war was factually incorrect, and was not balanced or impartial.	No breach—accuracy. No breach—not materially mislead. No breach—impartiality. No breach—not unduly favouring one perspective over another.
ABN ABC TV NSW	2673	<i>Judith Lucy's Spiritual Journey</i>	Child participants exposed to obscene language.	No breach—harm and offence. No breach—dignity and welfare of children and young people.
ABN ABC TV NSW	2722	<i>7.30</i>	Vilification and stereotyping of Christians in satirical skit.	No breach—stereotypes or discriminatory content.
ABN ABC TV NSW	2723	<i>The Hamster Wheel</i>	Stereotyping and discriminatory content.	No breach—stereotypes or discriminatory content
ABN ABC TV NSW	2748	<i>Tim Minchin versus The Sydney Symphony Orchestra</i>	Program content was tasteless and offensive to the Muslim community.	No breach—harm and offence. No breach—dignity and welfare of children and young people.
ABN ABC TV NSW	2784	<i>Raw Comedy Festival 2011</i>	Comments made were offensive, and demeaning of people with a disability.	No breach—harm or offence. No breach—stereotypes or discriminatory content.
ABV ABC TV Vic.	2583	<i>Media Watch</i>	Unsubstantiated claim and bias in segment about climate change reportage.	No breach—impartiality. No breach—accuracy.
ABV ABC TV Vic.	2647	<i>ABC News</i>	Accuracy, context, misleading presentation, impartiality and complaints-handling issue.	No breach—accuracy and context. No breach—not materially mislead.
ABV ABC TV Vic.	2672	<i>Behind the News Extra</i>	Program about genetically modified food was inaccurate, misleading and unbalanced.	No breach—accuracy. No breach—correction of significant error. No breach—impartiality. No breach—representing perspectives.
ABV ABC TV Vic.	2705	<i>The Slap (Hector)</i>	Inappropriate coarse language and sexual activity for the school holiday period and time of day.	No breach—television classifications (M—language and sex).

ABV ABC TV Vic.	2706	<i>The Slap (Anouk)</i>	Inappropriate coarse language and sexual activity for the school holiday period and time of day.	No breach—television classifications (M—language and sex).
ABV ABC TV Vic.	2638	<i>Lateline</i>	Program conveyed prejudice, was factually incorrect, was not balanced and was not impartial.	No breach—accuracy. No breach—impartiality. No breach—unduly favour one perspective over another.
ABV ABC TV Vic.	2694	<i>Four Corners</i>	Program lacked balance.	No breach—balance.
ABV ABC TV Vic.	2698	<i>The Gruen Transfer</i>	Message on panellist's t-shirt offensive.	No breach—content likely to cause harm or offence must be justified. No breach—unjustified use of stereotypes or discriminatory content to be avoided.
ABV ABC TV Vic.	2718	<i>Martin Morning</i>	Depiction of dangerous imitable behaviour in a G-classified program.	No breach—dangerous imitation, manage and minimise risks for children and young people.
ABV ABC TV Vic.	2727	<i>ABC News 24</i>	ABC News 24 channel promotion politically biased.	No breach—impartiality. No breach—not unduly favouring one perspective over another.
ABV ABC TV Vic.	2738	<i>The Slap (Hector)</i>	Inappropriate depictions of sex, drug use and themes for the M classification.	No breach—content justified by editorial context. No breach—correct labels, warning or advice provided. No breach—classification of content.
ABV ABC TV Vic.	2739	<i>The Slap (Manolis)</i>	Inappropriate depictions of sex and coarse language for the M classification and discriminatory content.	No breach—classification of content. No breach—stereotypes and discriminatory content condoning prejudice.
ABV ABC TV Vic.	2749	<i>Tm Minchin versus The Sydney Symphony Orchestra</i>	Program content incited prejudice against Catholics.	No breach—harm and offence. No breach—dignity and welfare of children and young people.
ABV ABC TV Vic.	2767	<i>ABC News</i>	Broadcasting kidnappers' demand video may lead to dangerous imitation or serious threats to safety and welfare.	No breach—dangerous imitation.
ABV ABC TV Vic.	2777	<i>Kaeloo</i>	Inappropriate depictions of violence in a G-classified program.	No breach—classification of material (G violence).
ABV ABC TV Vic.	2805	<i>7.30</i>	Bias in interview.	No breach—impartiality.
ABV ABC TV Vic.	2808	<i>You're Skitting Me</i>	Inappropriate sexual themes in a G-classified program.	No breach—classification of material (G themes).
ABQ ABC TV Qld	2600	<i>Studio 3</i>	Inappropriate themes at the G classification.	No breach—the G classification (themes and coarse language).
ABQ ABC TV Qld	2622	<i>7.30</i>	Obvious bias and erroneous interpretations in interview of politician about trip to Malaysia.	No breach—not materially mislead. No breach—impartiality.
ABQ ABC TV Qld	2671	<i>Midday Report</i>	Factual inaccuracy in a news broadcast.	No breach—accuracy.

ABQ ABC TV Qld	2735	<i>The Night Watch</i>	Inappropriate nudity for the M classification.	No breach—content justified by editorial context. No breach—correct labels, warning or advice provided. No breach—classification of content.
ABQ ABC TV Qld	2708		Physical and emotional welfare of children and young people.	No breach—physical and emotional welfare of children and young people
ABS ABC TV SA	2724	<i>Q&A</i>	Offensive coarse language.	No breach—content justified by editorial context. No breach—correct labels, warning or advice provided. No breach—classification of content.
ABW ABC TV WA	2715	<i>The Song of Lunch</i>	M-classified program broadcast in PG time zone.	No breach—classification time zone.
ABW ABC TV WA	2752	<i>The Thick of It</i>	Inappropriate coarse language for the M classification.	No breach—content justified by editorial context. No breach—correct labels, warning or advice provided. No breach—classification of content.
ABW ABC TV WA	2669	<i>Jandamarra's War</i>	Inaccurate statements.	No breach—reasonable efforts. No breach—not materially mislead No breach—avoid discriminatory content.
ABW ABC TV WA	2795	<i>ABC News</i>	Graphic footage of asylum-seeker death.	No breach—justification for content likely to cause harm or offence. No breach—provide information about nature of content likely to cause harm or offence. No breach—sensitivity, distress to relatives and cultural practices.
ABW ABC TV WA	2757	<i>Rage</i>	Inappropriate depictions of alcohol and tobacco use in a G-classified program.	No breach—television classifications (G). No breach—harm and offence (dangerous imitation and threats to health). No breach—children and young people (managing risks of exposure to ABC content). No breach—children and young people (minimise risk of exposure to unsuitable content).
ABC ABC TV ACT	2810	<i>The Hamster Wheel</i>	Inappropriate language in a program classified MA15+.	No breach—classification of material (MA15+ language).
ABD ABC TV NT	2783	<i>ABC News 24</i>	Inaccurate information and bias in report on lead-up to Russian presidential elections.	No breach—accuracy of material facts. No breach—not materially mislead. No breach—impartiality.

SBS television				
Breach findings: 2				
Station	Investigation number	Program or issue	Substance of complaint	Outcome
SBS SBS TV Vic.	2797	<i>13 Tzameti</i>	Inappropriate depictions of violence and suicide in an M-classified program.	Breach—classification of material (M violence). Breach—consumer advice. No breach—depiction and promotion of suicide.
SBS SBS TV SA	2579	<i>Dead Set/ Ugly Americans</i> (program promotion)	Inappropriate violence for the PG classification.	Breach—classification categories—PG (violence).
No breach findings: 8				
Station	Investigation number	Program or issue	Substance of complaint	Outcome
SBS SBS TV NSW	2768	<i>Black Music: An American (R)evolution</i>	Inappropriate coarse language and violence in a PG classification time zone.	No breach—exemption for broadcasting higher classified material in a lower classification time zone.
SBS SBS TV Vic.	2569	<i>Dateline</i>	Complaints-handling issue.	No breach—complaints-handling.
SBS SBS TV Vic.	2675	<i>Man vs Wild</i>	Inappropriate themes for the PG time zone.	No breach—classification categories (PG—themes).
SBS SBS TV Vic.	2676	<i>Man vs Wild</i>	Inappropriate themes for the PG time zone.	No breach—classification categories (PG—themes).
SBS SBS TV Vic.	2733	<i>Dumplings</i>	Inappropriate depictions of violence in a film classified MAV15+.	No breach—classification categories (MAV15+—violence).
SBS SBS TV SA	2743	<i>Dateline</i>	Program promotion insulted and denigrated the Christian religion.	No breach—dealing with religion.
SBS SBS TV SA	2772	<i>Chiko</i>	Inappropriate coarse language, violence and drug use in a program classified MA15+.	No breach—classification of material (MA15+—violence, coarse language and violence).
SBS SBS TV WA	2792	<i>Once upon a time in Cabramatta</i>	Derogatory term used.	No breach—prejudice, racism and discrimination.
Subscription television				
Breach findings: 0 No breach findings: 1				
Station	Investigation number	Program or issue	Substance of complaint	Outcome
Foxtel Foxtel Cable Television Pty Ltd	2779	2012–2016 AFL premiership seasons	The right to acquire AFL matches.	No breach—subscription television licensee acquiring anti-siphoning events.*

Commercial radio				
Breach findings: 17				
Station	Investigation number	Program or issue	Substance of complaint	Outcome
2DAY Today FM Sydney Pty Ltd NSW	2751	<i>Kyle and Jackie O Breakfast Show</i>	Comments directed towards a female journalist were derogatory and offensive.	Breach—generally accepted standards of decency. No breach—hatred, contempt or ridicule on grounds of gender. No breach—incite violence or brutality.
2GB Harbour Radio Pty Ltd NSW	2540	<i>The Alan Jones Breakfast Show</i>	Inaccuracies, lack of balance and comments likely to incite violence and brutality.	Breach—accurate presentation of factual material. Breach—presentation of significant viewpoints. No breach—inciting/encouraging violence.
2GB Harbour Radio Pty Ltd NSW	2598	<i>Afternoons with Chris Smith</i>	Offensive quiz about asylum-seeker funerals. Complaints-handling issue.	Breach—generally accepted standards of decency. No breach—hatred, contempt or ridicule of any person or group because of race. No breach—complaints-handling.
2GB Harbour Radio Pty Ltd NSW	2636	<i>The Alan Jones Breakfast Show</i>	Statements made were inaccurate, failed to present significant viewpoints on controversial matter of public importance.	Breach—accuracy. Breach—complaints-handling. No breach—present significant viewpoints.
2GB Harbour Radio Pty Ltd NSW	2597	<i>The Alan Jones Breakfast Show</i>	Statements made were inaccurate, failed to present significant viewpoints on controversial matter of public importance.	Breach—accuracy. Breach—complaints-handling. No breach—present significant viewpoints.
2GB Harbour Radio Pty Ltd NSW	2614	<i>The Alan Jones Breakfast Show</i>	Statements made were inaccurate, failed to present significant viewpoints on controversial matter of public importance.	Breach—accuracy. Breach—complaints-handling. No breach—present significant viewpoints.
2GB Harbour Radio Pty Ltd NSW	2717	<i>The Alan Jones Breakfast Show</i>	Comments encouraged violence and were inappropriate. Complaints-handling issue.	Breach—complaints-handling. No breach—present significant viewpoints. No breach—violence or brutality. No breach—gender and disability. No breach—generally accepted standards of decency.
2GB Harbour Radio Pty Ltd NSW	2674	<i>The Alan Jones Breakfast Show</i>	Statements made were inaccurate, failed to present significant viewpoints on controversial matter of public importance. Complaints-handling issue.	Breach—complaints-handling. No breach—present significant viewpoints. No breach—violence or brutality. No breach—gender and disability. No breach—generally accepted standards of decency.
2MO 2MO Gunnedah Pty Ltd NSW	2759	Broadcast material of local significance—applicable hours	Compliance with the requirement to broadcast applicable hours of material of local significance ('local content').	Breach—broadcast applicable hours of material of local significance.*
2PM Port Macquarie Super AM 531 Pty Ltd NSW	2596	Advertisement for Tumblegum Bakehouse and Cafe	Offensive expletive in advertisement for a cafe. Complaints-handling issue.	Breach—complaints-handling. No breach—generally accepted standards of decency.

2UE Radio 2UE Sydney Pty Ltd NSW	2688	<i>2UE Afternoons with Michael Smith</i>	Untrue and inflammatory remark about marriage of founder of Islam. Complaints-handling issue.	Breach—complaints-handling. No breach—incite hatred on grounds of religion.
3AW Radio 3AW Melbourne Pty Ltd Vic.	2606	<i>Sunday Morning</i>	Inaccurate and misleading comments relating to attendance and overseas viewing figures for 2011 Grand Prix. Complaints-handling issue.	Breach—complaints-handling. No breach—accuracy.
4MIC North Queensland Broadcasting Corporation Pty Ltd Qld	2466	Broadcast material of local significance— applicable hours. Retain records.	Compliance with the requirement to broadcast applicable hours of material of local significance ('local content').	Breach—broadcast applicable hours of material of local significance.* No breach—record-keeping.*
4RUM Bundaberg Broadcasters Pty Ltd Qld	2750	Local news and information	Compliance with the minimum service standards for local news and information.	Breach—minimum service standards for local news information.*
FIVEaa Festival City Broadcasters Pty Ltd SA	2553	<i>The Leon Byner Show</i>	Mixing commentary on water fluoridation with advertising for a fluoride removal company. Complaints-handling issue.	Breach—advertisement not presented as news programs or other program for 1 October 2010 broadcast. Breach—complaints-handling. No breach—advertisement not presented as news programs or other program for 12 and 19 October 2010 broadcasts.
6NW North West Radio Pty Ltd WA	2702	Political advertisement	No identification of one of the speakers.	Breach—identification of certain political matter.*
1CBR Canberra FM Radio Pty Ltd ACT	2744	Local news and information	Compliance with the minimum service standards for local news and information.	Breach—minimum service standards for local news information.*

*Investigation against a licence condition.

Non-breach findings: 14

Station	Investigation number	Program or issue	Substance of complaint	Outcome
2GB Harbour Radio Pty Ltd NSW	2639	<i>Afternoons with Chris Smith</i>	Alternative viewpoints not presented in the broadcast on a controversial matter of public importance.	No breach—present significant viewpoints.
2GB Harbour Radio Pty Ltd NSW	2697	<i>The Alan Jones Breakfast Show</i>	Comments broadcast ridiculed persons on grounds of ethnicity and race.	No breach—hatred, contempt or ridicule on grounds of ethnicity and race
2ONE Blue Mountains Broadcasters Pty Ltd NSW	2601	<i>S&M and Last Night</i> (song lyrics)	Song lyrics with sexual and alcohol references broadcast in inappropriate timeslot.	No breach—generally accepted standards of decency.
2UE Radio 2UE Sydney Pty Ltd NSW	2627	<i>Afternoons with Michael Smith</i>	Incorrect non-factual comment about founder of Islam's marriage; incitement of hatred of Muslims.	No breach—incite hatred against a group of persons because of religion. No breach—accuracy.

3AK (SEN) Victorian Radio Network Pty Ltd Vic.	2641	<i>Harf-time</i>	Offensive and discriminatory comments by panel member.	No breach—contempt, ridicule on grounds of disability.
3AW Radio 3AW Melbourne Pty Ltd Vic.	2793	<i>Mornings</i>	Comments made during a discussion of decorations of all religions were offensive and incited violence and hatred against Muslims. Complaints-handling issue.	No breach—violence or brutality. No breach—hatred, contempt or ridicule on grounds of religion. No breach—complaints-handling.
3MEL Nova 100 Pty Ltd Vic.	2761	<i>Hughesy & Kate</i>	Song lyric presents the misuse of alcoholic liquor as desirable.	No breach—misuse of alcoholic liquor.
3MMM Triple M Melbourne Pty Ltd Vic.	2745	<i>Jeff and Paul Peanut Gallery</i>	Comments made about Paris Hilton were highly offensive and degrading to all women.	No breach—generally accepted standards of decency.
4HOT Greater Cairns Radio Pty Ltd Qld	2685	<i>The Marty & Jess Breakfast Show</i>	Disclosure of commercial agreements and distinguishing ads from other program content.	No breach—advertising standard.*
4TOO Townsville Broadcasters Pty Ltd Qld	2602	Tobacco advertising	Broadcast tobacco advertisements.	No breach—tobacco advertising.*
5MMM Triple M Adelaide Pty Ltd SA	2575	<i>The Hot Breakfast</i>	Misuse of alcohol made to sound desirable.	No breach—misuse of alcoholic liquor.
6RED North West Radio Pty Ltd WA	2467	Broadcast material of local significance—applicable hours. Retain records.	Compliance with the requirement to broadcast applicable hours of material of local significance ('local content').	No breach—broadcast applicable hours of material of local significance.* No breach—record-keeping.*
6PPM Consolidated Broadcasting System (WA) Pty Ltd WA	2589	<i>Lisa, Baz and Sam</i>	Sexually explicit song lyrics at times when young children are being driven to school.	No breach—generally accepted standards of decency.
7SEA Burnie Broadcasting Service Pty Ltd Tas	2465	Local news and information	Compliance with the minimum service standards for local news and information.	No breach—minimum number of hours for material of local significance.* No breach—record-keeping.*
*Investigation against a licence condition or standard.				

ABC radio				
Breach findings: 3				
Station	Investigation number	Program or issue	Substance of complaint	Outcome
2RN ABC Radio NSW	2648	<i>Background Briefing</i>	False statements and misrepresentations of comments.	Breach—accuracy. No breach—accuracy. No breach—correction of significant errors.
3RN ABC Radio Vic.	2595	<i>The Science Show</i>	Errors or misrepresentation, bias, and failure to correct errors in program about climate change. Complaints-handling issue.	Breach—complaints-handling. No breach—impartiality. No breach—accuracy.
5AN ABC Radio SA	2582	<i>Breakfast</i>	Unfair interview with politician.	Breach—impartiality. No breach—discrimination/ stereotyping on grounds of sex and disability.
Non-breach findings: 12				
Station	Investigation number	Program or issue	Substance of complaint	Outcome
2BL ABC Radio NSW	2631	<i>Breakfast with Adam Spencer</i>	Biased interview of well-known climate change sceptic.	No breach—impartiality.
2RN ABC Radio NSW	2681	<i>Background Briefing</i>	Program contained factual errors and lacked balance and objectivity.	No breach—accuracy. No breach—impartiality.
2RN ABC Radio NSW	2754	<i>PM</i>	Presenter displayed their own views during the course of an interview.	No breach—impartiality.
2RN ABC Radio NSW	2755	<i>AM</i>	Report on climate change was one-sided and not impartial.	No breach—impartiality.
2RN ABC Radio NSW	2787	<i>The World Today</i>	Omission of historical information in the report failed to provide relevant context.	No breach—accuracy.
3LO ABC Radio Vic.	2549	<i>Mornings with Jon Faine</i>	Inaccurate statements about a talkback caller. Complaints-handling issue.	No breach—impartiality. No breach—accuracy. No breach—discrimination and stereotypes. No breach—complaints-handling.
3LO ABC Radio Vic.	2603	<i>PM</i>	Report contained baseless allegations and misrepresentations.	No breach—accuracy. No breach—impartiality. No breach—balance. No breach—serve the public interest.
3LO ABC Radio Vic.	2617	<i>PM</i>	Accuracy and context.	No breach—accuracy and context.
3LO ABC Radio Vic.	2632	<i>Mornings</i>	Discussion of religious education lacked objectivity and displayed negativity towards Christianity.	No breach—impartiality. No breach—presenting a diversity of perspectives over time. No breach—not unduly favouring one perspective over another. No breach—stereotypes and discriminatory content.
4JJJ ABC Radio Qld	2700	<i>Lunch</i>	Lyrics of a song were offensive and inappropriate.	No breach—likely to cause offence. No breach—likely to cause offence—warnings or advice.

4JJJ ABC Radio Qld	2693	<i>Tom and Alex</i>	Unacceptable sexual references to children.	No breach—harm or offence. No breach—whether the broadcaster took appropriate steps to mitigate the harm or offence. No breach—dangerous imitation or exacerbate serious threats to the safety or welfare of children.
4RN ABC Radio Qld	2616	<i>The Health Report</i>	Broadcast was misleading in the presentation of fact and lacked fairness and balance.	No breach—accuracy. No breach—not materially mislead. No breach—impartiality. No breach—diversity of perspectives. No breach—not state or imply perspective is ABC editorial opinion. No breach—not misrepresent any perspective. No breach—not unduly favour one perspective. No breach—fair opportunity to respond to allegations.

Community television

Breach findings: 2

Station	Investigation number	Program or issue	Substance of complaint	Outcome
C31 Melbourne Community Television Consortium Ltd	2710	Licence condition matter	The <i>All 4 Adventure</i> program broadcast on 10 November 2011 contained advertising material.	Breach—advertising.*
TSN31 Television Sydney (TVS) Limited	2613	Code matters	The <i>Gundam 00</i> program broadcast on 4 December 2010 contained material that may incite, encourage or present for their own sake violence or brutality. Complaints-handling.	Breach—complaints-handling. No breach—violence or brutality. No breach—vilification.

*Investigation against a licence condition or standard.

Community radio

Breach findings: 9

Station	Investigation number	Program or issue	Substance of complaint	Outcome
2UUU Shoalhaven Community Radio Inc.	2587	Licence condition matters	Broadcasting untagged sponsorship announcements on 24 April, 25 April, 28 April, 29 April, 20 May, 23 May, and 26 May 2011. Not keeping record of matters broadcast. Not representing the community interest. Not encouraging participation.	Breach—advertising.* Breach—record of matters broadcast.* No breach—representing the community interest.* No breach—encouraging participation.*
3BBB Ballarat Community FM Radio Cooperative Ltd	2608	Licence condition matter	Broadcasting an advertisement during <i>Community Voices</i> program on 21 June 2011.	Breach—advertising.*
3MBS Music Broadcasting Society of Victoria Ltd	2591	Various code matters	Availability of policies and procedures; rights of listeners, members and volunteers to make complaints; resolution of complaints; complaints-handling.	Breach—availability of policy documents. Breach—rights of listeners, members and volunteers to make complaints. Breach—resolution of complaints. Breach—complaints-handling.
3WYN WYN-FM Community Radio Inc.	2668	Licence condition and code matters	Broadcasting advertisements; operating the service as part of a profit-making enterprise; policies and procedures for handling complaints from members and volunteers.	Breach—advertising.* No breach—part of profit-making enterprise.* Breach—policies and procedures for handling complaints from members and volunteers.
4BCR Bundy FM Community Radio Association Inc.	2670	Licence condition and code matters	Broadcasting advertisements; encouraging participation; policies and procedures relating to financial members, internal conflict resolution and complaints-handling; availability of policy documents; complaints-handling.	Breach—advertising.* No breach—encouraging participation.* Breach—policies and procedures relating to financial members, internal conflict resolution and complaints-handling. Breach—availability of policy documents. Breach—complaints-handling.
4DDB Darling Downs Broadcasting Society Inc.	2753	Licence condition matters	Broadcasting advertisements on 7 January 2012. Not representing the community interest.	Breach—advertising.* No breach—representing the community interest.*
4SFM Sunshine FM Radio Association Inc.	2624	Licence condition matters	Broadcasting advertisements on 6, 10 and 27 July 2011. Not representing the community interest.	Breach—advertising on 10 July 2011.* No breach—advertising on 6 and 27 July 2011.* No breach—representing the community interest.*
6NR Curtin University of Technology	2592	Licence condition matters	Broadcasting advertisements and exceeding sponsorship time limit on 15 February, 3 March, 9 March, 11 March, 7 April, 13 April and 14 April 2011.	Breach—advertising.* Breach—exceeding sponsorship time limit.*

8TFM Charles Darwin University	2607	Licence condition matter	Broadcasting advertisements during <i>Sunday NRL with Ray Hadley and the Continuous Call Team</i> on 29 May 2011.	Breach—advertising.*
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*Investigation against a licence condition or standard.

Non-breach findings: 9

Station	Investigation number	Program or issue	Substance of complaint	Outcome
2BAB Bay and Basin Community Resources Inc.	2618	Licence condition and code matters	Not encouraging participation; policies relating to internal conflict resolution and encouraging participation; complaints-handling.	No breach—encouraging participation.* No breach—policies relating to internal conflict resolution and encouraging participation. No breach—complaints-handling.
2CBD Deepwater & Districts Community FM Radio Inc.	2626	Licence condition matters	Not encouraging participation; not representing the community interest.	No breach—encouraging participation.* No breach—representing community interest.*
2FBI Free Broadcast Inc.	2609	Code matter	Broadcast of <i>Sunset</i> on 1 March 2011 contained sexist and discriminatory language.	No breach—broadcast of material that is likely to stereotype, incite, vilify or perpetuate hatred against, or attempt to demean any person or group.
2UUU Shoalhaven Community Radio Inc.	2637	Licence condition matters	Broadcasting advertisements on 27 June and 20 July 2011; not encouraging participation.	No breach—advertising.* No breach—encouraging participation.*
2UUU Shoalhaven Community Radio Inc.	2822	Licence condition matter	Broadcasting advertisements.	No breach—advertising.*
2VTR Hawkesbury Radio Communications Cooperative Society Ltd	2766	Licence condition matter	Not encouraging participation.	No breach—encouraging participation.*
2WKT Highland Media Cooperative Ltd	2615	Licence condition matter	Broadcasting an advertisement during the <i>Latin Zone</i> program on 23 June 2011.	No breach—advertising.*
3BBB Ballarat Community FM Radio Cooperative Ltd	2763	Licence condition matters	Broadcasting an advertisement and exceeding sponsorship time limit during the <i>Community Voices</i> program on 28 December 2011.	No breach—advertising.* No breach—exceeding sponsorship time limit.*
4ZZZ Creative Broadcasters Ltd	2740	Code matters	Broadcasting a song containing offensive language when children might be listening at 6 am during the <i>Fishin’ in the Morning</i> program on 18 October 2011. Complaints-handling.	No breach—consideration of community interest. No breach—programming practices that protect children. No breach—complaints-handling.

*Investigation against a licence condition or standard.

Appendix 7:

Freedom of information— Information Publication Scheme

Agencies subject to the *Freedom of Information Act 1982* (FOI Act) are required to publish information to the public as part of the Information Publication Scheme (IPS). This requirement is in Part II of the FOI Act and has replaced the former requirement to publish a statement in an annual report. Each agency must display on its website a plan showing what information it publishes in accordance with the IPS requirements. The ACMA is an agency subject to the FOI Act.

In accordance with Part II of the FOI Act, the ACMA has developed an agency plan that outlines how it proposes to comply with Part II of the FOI Act. The agency plan has been published on the ACMA website (as required in paragraph 8(2)(a) of the FOI Act) and can be accessed using the following link: www.acma.gov.au/WEB/STANDARD/pc=PC_312512.

The agency plan provides a description of, and links to, the categories of information that the ACMA is required to publish, as well as information on other material that the ACMA voluntarily publishes. Further information can be obtained using the contact details provided in the agency plan.

Appendix 8:

Legislation

The ACMA performed its principal roles, responsibilities and obligations under the following legislation administered by the Department of Broadband, Communications and the Digital Economy and the Attorney-General's Department:¹

Acts	Act number	Date of assent	Date of commencement
<i>Australian Broadcasting Corporation Act 1983</i>	6 of 1983	1 June 1983	Part I (ss. 1–4), ss. 7, 9–24, 34, 69 and 83: Royal Assent Remainder: 1 July 1983 (see Gazette 1983, No. S124)
<i>Australian Communications and Media Authority Act 2005</i>	44 of 2005	1 April 2005	Ss. 3–68: 1 July 2005 Remainder: Royal Assent
<i>Broadcasting Services Act 1992</i>	110 of 1992	14 July 1992	Ss. 4, 5, 7–92 and 117–218: 5 October 1992 (see Gazette 1992, No. GN38) Remainder: Royal Assent
<i>Competition and Consumer Act 2010, Parts XIB and XIC</i>	51 of 1974	24 August 1974	Ss. 1 and 2: Royal Assent S. 55: 27 September 1975 (see Gazette 1975, No. S178) Remainder: 1 October 1974 (see Gazette 1974, No. 75B)
<i>Datacasting Charge (Imposition) Act 1998</i>	98 of 1998	27 July 1998	27 July 2008
<i>Datacasting Transmitter Licence Fees Act 2006</i>	154 of 2006	8 December 2006	1 January 2007
<i>Do Not Call Register Act 2006</i>	88 of 2006	30 June 2006	Parts 2, 4–5, ss. 39–40 and 42–45, Schedules 1–3: 31 May 2007 (see F2007L01114) Remainder: Royal Assent
<i>Interactive Gambling Act 2001</i>	84 of 2001	11 July 2001	Ss. 15, 15A, 61AA–61FE: 8 August 2001 Ss. 16–31, 42, 43, 48, 49, 54–59: 12 January 2002 Remainder: Royal Assent
<i>National Broadband Network Companies Act 2011</i>	22 of 2011	12 April 2011	s. 98A: 22 March 2011; ss. 3–98, 99–101, schedules 1 and 2: 13 April 2011 Remainder: Royal Assent
<i>NRS Levy Imposition Act 1998</i>	3 of 1998	26 March 1998	26 March 1998
<i>Radiocommunications Act 1992</i>	174 of 1992	11 December 1992	1 July 1993
<i>Radiocommunications (Receiver Licence Tax) Act 1983</i>	132 of 1983	22 December 1983	20 August 1985 (see Gazette 1985, No. S322)
<i>Radiocommunications (Spectrum Licence Tax) Act 1997</i>	144 of 1997	9 October 1997	9 October 1997
<i>Radiocommunications Taxes Collection Act 1983</i>	133 of 1983	22 December 1983	20 August 1985 (see Gazette 1985, No. S322)

¹ The administration of Acts is determined by the Administrative Arrangements Order; see www.comlaw.gov.au C2012Q00019.

Acts	Act number	Date of assent	Date of commencement
<i>Radiocommunications (Transmitter Licence Tax) Act 1983</i>	137 of 1983	22 December 1983	20 August 1985 (see Gazette 1985, S322)
<i>Radio Licence Fees Act 1964</i>	119 of 1964	24 November 1964	24 November 1964
<i>Spam Act 2003</i>	129 of 2003	12 December 2003	ss. 1–14, 42, 47 and Schedule 2: 12 December 2003; Parts 2–6, s. 41, 43–46, Schedules 1 and 3: 10 April 2004 Remainder: Royal Assent
<i>Special Broadcasting Service Act 1991</i>	180 of 1991	25 November 1991	S. 54: 24 Mar 1994 (see Gazette 1994, No. GN10) Remainder: 23 Dec 1991
<i>Telecommunications Act 1997</i>	47 of 1997	22 April 1997	Ss. 41–51, 56–85, 98–495, 507–576, 579–588, 590–593 and Schedules 1–4: 1 July 1997 Ss. 52–55: 5 June 1997 Remainder: Royal Assent
<i>Telecommunications (Carrier Licence Charges) Act 1997</i>	49 of 1997	22 April 1997	22 April 1997
<i>Telecommunications (Consumer Protection and Service Standards) Act 1999</i>	50 of 1999	5 July 1999	Part 3: 1 July 1999 Remainder: 2 August 1999
<i>Telecommunications (Industry Levy) Act 2012</i>	45 of 2012	16 April 2012	Sections 3 to 8: 1 July 2012 Remainder: Royal Assent
<i>Telecommunications (Interception and Access) Act 1979</i>	114 of 1979	25 October 1979	1 June 1980 (see Gazette 1980, No. G21, p. 2)
<i>Telecommunications (Numbering Charges) Act 1997</i>	51 of 1997	22 April 1997	Parts 1 and 4: Royal Assent Parts 2 and 3: 1 July 1997
<i>Telecommunications (Universal Service Levy) Act 1997</i>	53 of 1997	24 April 1997	1 July 1997
<i>Telecommunications Universal Service Management Agency Act 2012</i>	43 of 2012	16 April 2012	Sections 3–125: 1 July 2012 Remainder: Royal Assent
<i>Television Licence Fees Act 1964</i>	118 of 1964	24 November 1964	24 November 1964
<i>Telstra Corporation Act 1991</i>	79 of 1991	26 June 1991	Part 1 (ss. 1–7): Royal Assent Remainder: 1 February 1992 (see Gazette 1992, No. S32)
<i>Telstra (Transition to Full Private Ownership) Act 2005</i>	118 of 2005	23 September 2005	Schedule 1 items 45–51 and 53–65: 24 November 2006 (F2006L03997); Schedule 1 Item 52: The third anniversary of the designated day declared under section 3. Schedule 1 Part 3: The 85% sale day declared under section 4. Remainder: Royal Assent

Appendix 9:

Notifications, directions and instruments

Section 57 of the *Australian Communications and Media Authority Act 2005* requires copies of certain directions and instruments to be included in the ACMA's annual report, including directions given to the ACMA under section 14 of the ACMA Act, and directions given by the ACMA to a carrier or carriage service provider under section 581 of the *Telecommunications Act 1997* during the financial year.

In 2011–12, the ACMA was given one direction under section 14 of the ACMA Act:

- > Australian Communications and Media Authority (Annual Carrier Licence Charge) Direction 2011.

The direction was registered on the Federal Register of Legislative Instruments on 7 July 2011 at www.comlaw.gov.au/Details/F2011L01437.

Additionally, section 67 of the ACMA Act requires the ACMA to maintain a register of all directions given to it under that Act or any other Act. The ACMA maintains this register on its website.

The ACMA did not give any directions during the financial year under section 581 of the *Telecommunications Act*.

Appendix 10:

Disclosures of information

Disclosures made under Part 13 of the *Telecommunications Act 1997*

By carriers and carriage service providers

Reason for disclosure	(Sub)section of Act	Number of disclosures 2011–12
<i>Under the Telecommunications Act 1997</i>		
Authorised by or under law	280	9,178
Made as a witness under summons	281	40
To assist the ACA/ACMA	284(1)	1,734
To assist the ACCC	284(2)	6
To assist the TIO	284(3)	7,472
Calls to emergency service number	286	2,605
To avert a threat to a person's life or health	287	8,731
Communications for maritime purposes	288	0
With the knowledge or consent of the person concerned	289	90,489
In circumstances prescribed in the Telecommunications Regulations 2001	292	0
Connected with an exempt disclosure	293	0
<i>Under the Telecommunications (Interception and Access Act) 1979</i>		
Voluntary disclosure	177	267
Authorisations for access to existing information or documents—enforcement of the criminal law	178	565,404
Authorisations for access to existing information or documents—locating missing persons	178A	1,973
Authorisations for access to existing information or documents—enforcement of a law imposing pecuniary penalty or protection of the public revenue	179	7,992
Authorisations for access to prospective information or documents	180	1,540
Total		697,431

Source: Carriers.

Note: Legislative amendments introduced the section 178A disclosure in March 2011.

By emergency management persons (EMP) for telephone-based emergency warning systems

Reason for disclosure	(Sub)section of Act	Number of disclosures
Likely emergency	295V(1)	0
Actual emergency	295V(2)	160,083

Note: After printing of the Annual report 2010–11, the ACMA found that Appendix 10, Disclosures of information, contained a number of incorrect figures. This was subsequently corrected in an erratum to Appendix 10 that was inserted into the report at page 219.

Appendix 11:

Judicial and administrative decisions 2011–12

Judicial decisions and decisions of administrative tribunals made in the 2011–12 financial year that have had, or may have a significant impact on the operations of the ACMA, are summarised below.

***Harbour Radio Pty Ltd and Macquarie Radio Network Ltd v Australian Communications and Media Authority* [2012] FCA 614**

Harbour Radio Pty Ltd (Harbour Radio) is a wholly owned subsidiary of Macquarie Radio Network Ltd and is the licensee of commercial radio station 2GB. Harbour Radio challenged, on various bases, the ACMA's decision to make the Broadcasting Services (Commercial Radio Current Affairs Disclosure) Standard 2012 under subsection 125(1) of the *Broadcasting Services Act 1992*.

Outcome: The Federal Court dismissed Harbour Radio's application on all bases. In particular, the Court found that:

- > the relevant jurisdictional fact for making such a standard was that the ACMA should be satisfied that there was convincing evidence that it should be made
- > there was such convincing evidence that this Standard should be made
- > the Standard did not infringe the implied constitutional freedom of political communication
- > the Standard did not impose unreasonable or disproportionate burdens
- > the Standard was not reviewable under the *Administrative Decisions (Judicial Review) Act 1977* because it was a decision of legislative not administrative character.

The Federal Court also emphasised the primacy of the role of the ACMA in deciding whether a registered code of practice provides appropriate community safeguards for the matters it covers.

Significance: This is a case that builds on, and provides further guidance on, principles of constitutional law, and on administrative law issues regarding jurisdictional fact, proportionality and whether a decision is of legislative or administrative character.

Appendix 12:

Consultancies, advertising expenditure and competitive tendering

The ACMA engages consultants to provide specialised services when the capability or capacity to perform these in-house is not available, or where there is a requirement for independent advice.

The policy for selecting and engaging consultants is in accordance with the Commonwealth Procurement Guidelines and is based on the core principle of achieving value for money. A majority of consultants were engaged following an open approach to market and use of panel arrangements. The main categories for consultancies in 2011–12 were legal advice, research and audit.

During 2011–12, 68 new consultancy contracts were entered into, involving total actual expenditure of \$1,831,169. In addition, five ongoing consultancy contracts were active during 2011–12, involving total actual expenditure of \$70,262.

Information on expenditure on contracts and consultancies is also available on the AusTender website at www.tenders.gov.au.

Table 58: Expenditure on consultancy contracts, 2009–10 to 2011–12

Year	New consultancies	Continued consultancies
2009–10	\$1,143,416	\$600,447
2010–11	\$1,385,186	\$403,931
2011–12	\$1,831,169	\$70,262

Table 59: Expenditure on media advertising organisations, 2011–12

Organisation name	Purpose	Amount of payment
Universal McCann	Do Not Call Register	\$51,720
Universal McCann	General advertising	\$93,907
Adcorp Australia Ltd	Voice over internet protocol	\$123,010
Adcorp Australia Ltd	Public notices and general advertising	\$35,489
Adcorp Australia Ltd	Cybersmart	\$19,998
Total		\$324,124

Table 60: Expenditure on market research organisations, 2011–12

Organisation name	Purpose	Amount of payment
GfK bluemoon Research and Planning Pty Ltd	Consumer research into retail sales of electronic equipment	\$79,998
Colmar Brunton Pty Ltd	Evaluation of Cybersmart <i>Tagged</i> video	\$66,592
Newspoll Market Research	Research into young people's use of online services	\$93,370
Newspoll Market Research	Internet protocol television study	\$24,200
Edith Cowan University	Research for Cybersmart Detectives	\$21,125
Edith Cowan University	Cybersafety education literature review	\$12,043
Ovum Pty Ltd	Quality of service regulation study	\$22,000
Roy Morgan Research Ltd	Consumer research—Telecommunications services customers: Credit management and financial hardship	\$110,145
Roy Morgan Research Ltd	Annual consumer survey	\$119,000
Roy Morgan Research Ltd	Research—unsolicited electronic communications	\$130,481
Taylor Nelson Sofres Australia Pty Ltd	Research—digital citizenship	\$122,760
Urbis Pty Ltd	Community research on location-based services	\$54,516
Total		\$856,230

Advertising

During the year, the ACMA placed advertising for a range of purposes including public notices and recruitment.

Expenditure by the ACMA on advertising in 2011–12 was \$0.365 million. The ACMA did not undertake any advertising campaigns during the year.

Competitive tendering

No contracts have been let that contract out delivery of government activities previously performed by a Commonwealth agency.

Access by Auditor-General

No contracts have been let that prevent access by the Auditor-General.

Exemptions from reporting of Commonwealth contracts

No exemptions have been sought or granted for the non-reporting of Commonwealth contracts on AusTender.

Appendix 13:

Outcome table 2011–12

Outcome 1: A communications and media environment that balances the needs of the industry and the Australian community through regulation, education and advice

	Budget ¹	Actual	Variance
	(1)	(2)	(2) minus (1)
	\$'000	\$'000	\$'000
Program 1.1: Communications regulation, planning and licensing			
Departmental items:			
Departmental appropriations	69,362	69,362	0
Revenues from independent sources	700	1,089	389
Special accounts			
Non-appropriation receipts to special accounts	50	0	(50)
Non-appropriation receipts to special accounts	162,576	161,409	(1,167)
Subtotal for Program 1.1	232,688	231,860	(828)
Program 1.2: Consumer safeguards, education and information			
Departmental items			
Departmental appropriations	34,164	34,164	0
Revenues from independent sources	200	536	336
Special Appropriation Act—Telecommunications consumer codes	660	531	(129)
Subtotal for Program 1.2	35,024	35,231	207
Total for Outcome 1			
Departmental	104,426	105,151	725
Administered	163,286	161,940	(1,346)
Average staffing level	575	575	

Notes

1. 2011–12 Budget figures

The 2011–12 Budget is the full-year revised budget at 2012–13 Portfolio Budget Statement.

Appendix 14:

Agency resource statement 2011–12

	Actual available appropriations for 2011–12	Payments made 2011–12	Balance remaining 2011–12
	\$'000	\$'000	\$'000
	(a)	(b)	(a) – (b)
Ordinary annual services*			
Departmental appropriation			
Prior year departmental appropriation	24,699		24,699
Departmental appropriation	103,526	102,570	956
Departmental appropriation (DCB)	8,591	8,591	0
Repayments to the Commonwealth (FMA Act s. 30A)	4,550	4,550	0
S. 31 relevant agency receipts	784		784
Total	142,150	115,711	26,439
Administered items			
Outcome 1	3,500	2,965	535
Appropriation lapsing		535	(535)
Total	3,500	3,500	0
Total ordinary annual services	145,650	119,211	26,439
Departmental non-operating			
Prior year departmental appropriations	5,668	4,708	960
Equity injections**	150	150	0
Total	5,818	4,858	960

*Appropriation Bill (No. 1) 2011–12. This also includes prior year departmental appropriation and s. 31 relevant agency receipts.

**Appropriation Bill (no. 2) 2011–12.

Special appropriations			
Special appropriations limited by amount			
<i>Telecommunication Act 1997—s. 136C(4) reimbursement of costs of developing consumer-industry code</i>	660	210	450
Appropriation lapsing		450	(450)
Total special appropriations	660	660	0
Special accounts			
Opening balance	166		166
Non-appropriations receipts to special accounts	73,672		73,672
Repayments to the Commonwealth (FMA Act s. 30A)	7,378		7,378
Payments made		81,152	(81,152)
Total	81,216	81,152	64
Total resourcing and payments	233,344	205,881	27,463

Appendix 15:

Performance against PBS KPIs and deliverables 2011–12

This table sets out the key performance indicators and deliverables from ACMA's Portfolio Budget Statements 2011–12 and identifies the sections of the report that cover the agency's actual performance against these indicators and deliverables.

Outcome 1: A communications and media environment that balances the needs of the industry and the Australian community through regulation, education and advice.

Program 1.1: Communications regulation, planning and licensing

Program 1.1 Key performance indicators

- > An effective regulatory environment that supports a dynamic communications sector and enables industry to meet the communications needs of the community.
- > Efficient planning, allocation and use of national resources such as radiofrequency spectrum, communications numbering and infrastructure.
- > Industry contributes to, and complies with, the regulatory framework without being subject to undue financial or administrative burden.
- > Levels of industry compliance with the regulatory framework as assessed by breaches and recurrent breaches of legislation, codes, standards and licence conditions.
- > The cost of ACMA's regulatory activities is minimised to the extent possible.

Program 1.1 Deliverables	Performance in 2011–12
Government revenue targets met in the collection of annual numbering charges.	See p. 73
Applications for an opinion on control or temporary approval of a breach of the <i>Broadcasting Services Act 1992</i> (BSA) dealt with within applicable time frames.	See p. 43
Annual identification and publication of primary issues facing key radiocommunications services, and methods ACMA proposes to use to manage these issues.	See p. 52
Greater marketplace contestability in frequency assignments.	See pp. 60–61
Increased proportion of spectrum licensed through class and spectrum licensing.	See p. 59
The proportion of licensing and numbering transaction applications dealt with within applicable time frames.	
60 per cent of apparatus licence applications requiring frequency assignment within 30 days.	See p. 58
100 per cent of apparatus licence applications not requiring frequency assignment within 14 days.	See p. 58
100 per cent of community broadcasting renewal applications processed within 12 months of receipt.	See p. 66
100 per cent of geographic number allocations within 10 days.	See p. 69
Submarine cable permits within 20 days (protection zone) or 180 days (non-protection zone).	See p. 84 – no new submarine cable protection zones were considered during 2011–12

The proportion of online content, Do Not Call Register and broadcasting code complaints dealt with within applicable time frames.	
Online content—90 per cent of child abuse items and other illegal content actioned within two business days of identification by the ACMA of content type; 100 per cent of all investigations finalised within 20 business days.	See p. 103
Telemarketing—50 per cent of complaints closed within seven days, 75 per cent within 14 days, 90 per cent within 21 days of receipt.	See p. 92
Broadcasting code complaint investigations completed within six months.	See p. 98
Price-based allocations of spectrum completed within statutory time frames.	
Price-based allocations of spectrum completed within two years of reallocation declaration and six months of the minister determining competition rules.	See p. 49
Evaluate digital transmission reception to assess whether digital television has the same coverage as current analog services.	See pp. 46, 47

Program 1.2: Consumer safeguards, education and information

Program 1.2 Key performance indicators

- > The community has access to sufficient information to enable it to make informed decisions about communications products and services.
- > Effective community safeguards are implemented and maintained.
- > Research is undertaken, and stakeholders engaged, to maximise the extent to which information, standards and safeguards address the broad concerns of the community.

Program 1.2 Deliverables

Performance in 2011–12

Information programs delivered in order to raise awareness of rights, obligations and safety issues.	
Improving awareness of Triple Zero among children.	See p. 110
Consumer awareness campaign for the Do Not Call Register.	See p. 130
Cybersafety awareness and education activities.	See pp. 131–135
Consumer awareness of cabling regulation.	See p. 81
Information materials on the National Relay Service.	See p. 128
Protections for users of mobile premium services.	See pp. 90, 124, 135
Risks and safety advice for users of online social networking sites.	See pp. 132, 137
Reports on industry compliance with statutory consumer safeguards made available within required time frames.	See pp. 125–127
Develop educational and research initiatives to underpin cybersafety program.	See pp. 131–137
Undertake consultation at regular intervals to receive information and advice on matters affecting consumers of communications services.	See p. 129—Consumer Consultative Forum (CCF) met twice during 2011–12
In cooperation with industry, undertake reviews of communications standards, codes and determinations within appropriate time frames.	See pp. 70, 83, 88, 121–123
Raise awareness of Australia's spam legislation among consumers, businesses and the e-marketing industry through education programs and publications.	See pp. 96–97

Appendix 16:

Regulatory impact analysis compliance report

The Office of Best Practice Regulation (OBPR) manages and monitors regulatory impact analysis requirements and is required to report annually on regulatory impact compliance by Australian Government departments and agencies. To fulfil its responsibilities, the ACMA lodges six-monthly compliance reports with the OBPR.

In 2011–12, the ACMA has undertaken 84 preliminary assessments for regulations made or tabled in the reporting period. Three Regulation Impact Statements have been prepared.

Appendix 17:

Compliance index

Requirements for annual reports

Department of the Prime Minister and Cabinet

Part of report	Description	Page
	Letter of transmittal	3
	Table of contents	5
	Index	323
	Glossary	318
	Contact officer(s)	2
	Internet home page address and internet address for report	back cover, 2
Review by Chairman	Review by Chairman and Chief Executive Officer	10
	Summary of significant issues and developments	16
	Overview of agency's performance and financial results	10, 16, 35
	Outlook for following year	10
	Significant issues and developments—portfolio	n/a
Agency overview		
	Role and functions	29
	Organisational structure	30–34
	Outcome and program structure	39, 115, 239
	Where outcome and program structures differ from PB Statements/PAES or other portfolio statements accompanying any other additional appropriation bills (other portfolio statements), details of variation and reasons for change	n/a
	Portfolio structure	n/a
Report on performance	Review of performance during the year in relation to programs and contribution to outcomes	38–141 (summary tables 242–243)
	Actual performance in relation to deliverables and KPIs set out in PB Statements/PAES or other portfolio statements	38–141 (summary tables 242–243)
	Where performance targets differ from the PBS/ PAES, details of both former and new targets, and reasons for the change	n/a
	Narrative discussion and analysis of performance	throughout
	Trend information	throughout
	Significant changes in nature of principal functions/services	n/a

	Factors, events or trends influencing departmental performance	throughout
	Contribution of risk management in achieving objectives	151
	Social inclusion outcomes	145
	Performance against service charter customer service standards, complaints data, and the agency's response to complaints	149
	Discussion and analysis of the agency's financial performance	35, 152, 239–241, 249–317
	Discussion of any significant changes from the prior year, from budget or anticipated to have a significant impact on future operations	152
	Agency resource statement and summary resource tables by outcomes	239–241
Management and accountability		
Corporate governance	Agency heads are required to certify that their agency complies with the Commonwealth Fraud Control Guidelines	3, 151
	Statement of the main corporate governance practices in place	35–36, 151, 156–157
	Names of the senior executives and their responsibilities	34
	Senior management committees and their roles	35–36, 156–157
	Corporate and operational planning and associated performance reporting and review	36–37
	Approach adopted to identifying areas of significant financial or operational risk	151
	Policy and practices on the establishment and maintenance of appropriate ethical standards	145
	How nature and amount of remuneration for SES officers is determined	144
External scrutiny	Significant developments in external scrutiny	n/a
	Judicial decisions and decisions of administrative tribunals	236
	Reports by the Auditor-General, a Parliamentary Committee or the Commonwealth Ombudsman	n/a
Management of human resources	Assessment of effectiveness in managing and developing human resources to achieve departmental objectives	147
	Workforce planning, staff turnover and retention	147
	Impact and features of enterprise or collective agreements, individual flexibility arrangements (IFAs), determinations, common law contracts and AWAs	143, 147
	Training and development undertaken and its impact	147–148
	Work health and safety performance	146
	Statistics on staffing	143–144, 160–167
	Enterprise or collective agreements, IFAs, determinations, common law contracts and AWAs	143, 147
	Performance pay	144
Assets management	Assessment of effectiveness of assets management	153
Purchasing	Assessment of purchasing against core policies and principles	153

Consultants	The annual report must include a summary statement detailing the number of new consultancy services contracts let during the year; the total actual expenditure on all new consultancy contracts let during the year (inclusive of GST); the number of ongoing consultancy contracts that were active in the reporting year; and the total actual expenditure in the reporting year on the ongoing consultancy contracts (inclusive of GST). The annual report must include a statement noting that information on contracts and consultancies is available through the AusTender website.	237–238
Australian National Audit Office Access Clauses	Absence of provisions in contracts allowing access by the Auditor-General	238
Exempt contracts	Contracts exempt from the AusTender	238
Financial statements	Financial statements	249–317
Other mandatory information		
	Work health and safety (Schedule 2, Part 4 of the <i>Work Health and Safety Act 2011</i>)	146
	Advertising and Market Research (section 311A of the <i>Commonwealth Electoral Act 1918</i>) and statement on advertising campaigns	238
	Ecologically sustainable development and environmental performance (section 516A of the <i>Environment Protection and Biodiversity Conservation Act 1999</i>)	153
	Grant programs	153
	Disability reporting—explicit and transparent reference to agency-level information available through other reporting mechanisms	145
	Information Publication Scheme statement	231
	Correction of material errors in previous annual report	235

Compliance with *Australian Communications and Media Authority Act 2005*, Part 6, section 57, Annual report

Requirement	Page
A copy of each direction given to the ACMA under section 14 during the financial year	234
A copy, or extract, of each instrument given to a carrier or to a carriage service provider under section 581 of the <i>Telecommunications Act 1997</i> during the financial year	No instruments given
A report on the number and types of complaints made under Part 26 of the <i>Telecommunications Act 1997</i> A report on the investigations conducted as a result of complaints made under Part 26 The results of those investigations	88–97
A report on the operation of Part 6 of the <i>Telecommunications Act 1997</i>	88–91
A report setting out statistical information relating to information or documents disclosed under Division 3 of Part 13 of the <i>Telecommunications Act 1997</i>	235

Compliance with the *Financial Management and Accountability Act 1997*

Requirement	Page
Chief Executive must give annual financial statements to the Auditor-General	250–317
Financial statements must be prepared in accordance with the Finance Minister's Orders and must give a true and fair view	252
Chief Executive must state whether, in his or her opinion, the financial statements give a true and fair view	252

Appendix 18:

Financial statements

Contents

- > Independent audit report
- > Statement by the Chief Executive and Chief Finance Officer
- > Income statement
- > Balance sheet
- > Statement of changes in equity
- > Cash flow statement
- > Schedule of commitments
- > Schedule of contingencies
- > Schedule of administered items
- > Notes



INDEPENDENT AUDITOR'S REPORT

To the Minister for Broadband, Communications and the Digital Economy

I have audited the accompanying financial statements of the Australian Communications and Media Authority for the year ended 30 June 2012, which comprise: a Statement by the Chief Executive and Chief Finance Officer; Statement of Comprehensive Income; Balance Sheet; Statement of Changes in Equity; Cash Flow Statement; Schedule of Commitments; Schedule of Contingencies; Administered Schedule of Comprehensive Income; Administered Schedule of Assets and Liabilities; Administered Reconciliation Schedule; Administered Cash Flow Statement; Schedule of Administered Commitments; Schedule of Administered Contingencies; and Notes comprising a Summary of Significant Accounting Policies and other explanatory information.

Chief Executive's Responsibility for the Financial Statements

The Chief Executive of the Agency is responsible for the preparation of financial statements that give a true and fair view in accordance with the Finance Minister's Orders made under the *Financial Management and Accountability Act 1997*, including the Australian Accounting Standards, and for such internal control as is necessary to enable the preparation of the financial statements that give a true and fair view and are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

My responsibility is to express an opinion on the financial statements based on my audit. I have conducted my audit in accordance with the Australian National Audit Office Auditing Standards, which incorporate the Australian Auditing Standards. These auditing standards require that I comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Agency's preparation of the financial statements that give a true and fair view in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Agency's internal control. An audit also includes evaluating the appropriateness of the accounting policies used and the reasonableness of accounting estimates made by the Chief

Executive of the Agency, as well as evaluating the overall presentation of the financial statements.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Independence

In conducting my audit, I have followed the independence requirements of the Australian National Audit Office, which incorporate the requirements of the Australian accounting profession.

Opinion

In my opinion, the financial statements of the Australian Communications and Media Authority:

- (a) have been prepared in accordance with the Finance Minister's Orders made under the *Financial Management and Accountability Act 1997*, including the Australian Accounting Standards; and
- (b) give a true and fair view of the matters required by the Finance Minister's Orders including the Australian Communications and Media Authority's financial position as at 30 June 2012 and of its financial performance and cash flows for the year then ended.

Australian National Audit Office

A handwritten signature in black ink, appearing to read 'John Jones', with a stylized, flowing script.

Executive Director

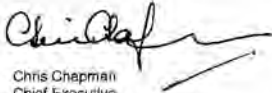
Delegate of the Auditor-General

Canberra

12 September 2012

STATEMENT BY THE CHIEF EXECUTIVE AND CHIEF FINANCE OFFICER

In our opinion, the attached financial statements for the year ended 30 June 2012 are based on properly maintained financial records and give a true and fair view of the matters required by the Finance Minister's Orders made under the *Financial Management and Accountability Act 1997*, as amended.



Chris Chapman
Chief Executive

12th September 2012



Stuart Wise
A/g Chief Finance Officer

12th September 2012

STATEMENT OF COMPREHENSIVE INCOME

for the period ended 30 June 2012

	Notes	2012 \$'000	2011 \$'000
EXPENSES			
Employee benefits	3A	71,270	68,939
Supplier	3B	35,045	35,211
Depreciation and amortisation	3C	6,344	7,002
Write-down and impairment of assets	3D	110	64
Total expenses		112,769	111,216
LESS:			
OWN-SOURCE INCOME			
Own-source revenue			
Sale of goods and rendering of services	4A	486	190
Other revenue	4B	1,055	1,094
Total own-source revenue		1,541	1,284
Gains			
Sale of assets	4C	-	14
Other gains	4D	84	81
Total gains		84	95
Total own-source income		1,625	1,379
Net cost of services		111,144	109,837
Revenue from Government	4E	103,526	98,935
Surplus (Deficit) attributable to the Australian Government		(7,618)	(10,902)
OTHER COMPREHENSIVE INCOME			
Changes in asset revaluation reserves		(575)	(350)
Total other comprehensive income (loss)		(575)	(350)
Total comprehensive income (loss) attributable to the Australian Government		(8,193)	(11,252)

The above statement should be read in conjunction with the accompanying notes.

BALANCE SHEET*as at 30 June 2012*

	Notes	2012 \$'000	2011 \$'000
ASSETS			
Financial Assets			
Cash and cash equivalents	5A	1,315	1,029
Trade and other receivables	5B	28,704	31,724
Total financial assets		30,019	32,753
Non-Financial Assets			
Land and buildings	6A, C	13,457	12,957
Property, plant and equipment	6B, C	7,139	9,136
Intangibles	6D, E	20,131	12,215
Other non-financial assets	6F	1,606	1,274
Total non-financial assets		42,333	35,582
Total Assets		72,352	68,335
LIABILITIES			
Payables			
Suppliers	7A	5,910	5,668
Other payables	7B	3,231	2,800
Total payables		9,141	8,468
Provisions			
Employee provisions	8A	18,786	16,064
Other provisions	8B	1,930	1,856
Total provisions		20,716	17,920
Total Liabilities		29,857	26,388
Net Assets		42,495	41,947
EQUITY			
Parent Entity Interest			
Contributed equity		54,219	45,478
Reserves		1,575	2,146
Retained earnings		(13,299)	(5,676)
Total Equity		42,495	41,947

The above statement should be read in conjunction with the accompanying notes.

STATEMENT OF CHANGES IN EQUITY
as at 30 June 2012

	Retained earnings		Asset revaluation reserve		Contributed equity		Total equity	
	2012	2011	2012	2011	2012	2011	2012	2011
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Opening balance								
Balance carried forward from previous period		(5,676)	6,584	2,146	2,013	45,478	28,622	41,948
Adjustment for errors / rounding		(1)	1	-	-	-	-	-
Adjusted opening balance		(5,677)	6,585	2,146	2,013	45,478	28,622	41,948
								37,219
Comprehensive income								
Revaluation increment/(decrement) on non-financial assets		-	-	(575)	(350)	-	(575)	(350)
Surplus (Deficit) for the period	(7,618)	(10,902)					(7,618)	(10,902)
Total comprehensive income	(7,618)	(10,902)		(575)	(350)	-	(8,193)	(11,252)
Transactions with owners								
Distributions to owners								
Returns of capital:								
Return of Appropriations		-	(876)	-	-	-	-	(876)
Contributions by owners								
Equity injection - Appropriations		-	-	-	-	8,741	5,357	8,741
Departmental capital budget		-	-	-	-	11,499	-	11,499
Sub-total transactions with owners		-	(876)	-	-	8,741	16,856	8,740
Transfer of revaluation reserve of derecognised non-financial assets	(4)	(483)		4	483			-
Closing balance as at 30 June	(13,299)	(5,676)		1,575	2,146	54,219	45,478	42,495
Closing balance attributable to the Australian Government	(13,299)	(5,676)		1,575	2,146	54,219	45,478	42,495
								41,947

The above statement should be read in conjunction with the accompanying notes.

CASH FLOW STATEMENT*for the period ended 30 June 2012*

	Notes	2012 \$'000	2011 \$'000
OPERATING ACTIVITIES			
Cash received			
Sale of goods and rendering of services		467	385
Appropriations		101,781	102,854
Net GST received		4,550	4,507
Other		1,088	1,120
Total cash received		107,886	108,866
Cash used			
Employees		68,530	68,244
Suppliers		39,070	40,125
Total cash used		107,600	108,369
Net cash from (used by) operating activities	9	286	497
INVESTING ACTIVITIES			
Cash received			
Proceeds from sales of property, plant and equipment		-	22
Total cash received		-	22
Cash used			
Purchase of property, plant and equipment		2,708	7,418
Purchase of intangibles		10,741	7,137
Total cash used		13,449	14,555
Net cash from (used by) investing activities		(13,449)	(14,533)
FINANCING ACTIVITIES			
Cash received			
Contributed equity		13,449	14,199
Total cash received		13,449	14,199
Net cash from financing activities		13,449	14,199
Net increase in cash held		286	163
Cash and cash equivalents at the beginning of the reporting period		1,029	866
Cash and cash equivalents at the end of the reporting period	5A	1,315	1,029

The above statement should be read in conjunction with the accompanying notes.

SCHEDULE OF COMMITMENTS

for the period ended 30 June 2012

	2012 \$'000	2011 \$'000
BY TYPE		
Commitments receivable		
Sublease rental income ¹	377	-
Net GST recoverable on commitments	5,738	5,287
Total commitments receivable	6,115	5,287
Commitments payable		
Other commitments		
Operating leases ²	51,158	30,756
Suppliers ³	11,957	27,403
Total other commitments	63,115	58,159
Net commitments by type	57,000	52,872
BY MATURITY		
Commitments receivable		
Operating lease income		
One year or less	132	-
From one to five years	245	-
Total operating lease income	377	-
Other commitments receivable		
One year or less	1,642	1,858
From one to five years	4,096	3,429
Total other commitments receivable	5,738	5,287
Commitments payable		
Operating lease commitments¹		
One year or less	7,718	6,671
From one to five years	19,746	21,975
Over five years	23,694	2,110
Total operating lease commitments	51,158	30,756
Supplier Commitments		
One year or less	10,349	13,770
From one to five years	1,608	13,633
Total supplier commitments	11,957	27,403
Net commitments by maturity	57,000	52,872

NB: Commitments are GST inclusive where relevant.

SCHEDULE OF COMMITMENTS

for the period ended 30 June 2012

¹The ACMA has sublet office accommodation in the Melbourne offices. The term of the sublease is the same as the Melbourne minimum lease end date.

²Operating leases are effectively non-cancellable and comprise:

General description of leasing arrangement											
Leases for office accommodation	<p>Office lease payments are subject to annual increases in accordance with upward movements of the Consumer Price Index or increased by a fixed rate. All office accommodation leases are current or in the process of being executed by the Lessor. A number of leases allow for extensions, the longest option providing for two five year extensions at the ACMA's discretion. On renewal, each lease allows for a market review to set the new rental base.</p> <table><tr><th>Accommodation Lease</th><th>Minimum end date period</th></tr><tr><td>Canberra (Current accommodation and new building)</td><td>August 2023</td></tr><tr><td>Melbourne</td><td>April 2014</td></tr><tr><td>Parramatta</td><td>March 2016</td></tr><tr><td>Sydney</td><td>February 2021</td></tr></table>	Accommodation Lease	Minimum end date period	Canberra (Current accommodation and new building)	August 2023	Melbourne	April 2014	Parramatta	March 2016	Sydney	February 2021
Accommodation Lease	Minimum end date period										
Canberra (Current accommodation and new building)	August 2023										
Melbourne	April 2014										
Parramatta	March 2016										
Sydney	February 2021										
Agreements for the provision of motor vehicles - senior executives officers	No contingent rentals exist. There are no renewal or purchase options available to the ACMA.										

³Suppliers represents the future commitments for goods and services secured by long term purchase orders and generally relates to contractors and outsourced service providers

This schedule should be read in conjunction with the accompanying notes.

SCHEDULE OF CONTINGENCIES*as at 30 June 2012*

	2012 \$'000	2011 \$'000
Contingent assets		
Claims for damages or costs	-	-
Total contingent assets	-	-
Contingent liabilities		
Claims for damages or costs	-	-
Total contingent liabilities	-	-
Net contingent assets	-	-

Details of each class of contingent liabilities and contingent assets listed above are disclosed in Note 10: Contingent Assets and Liabilities, along with information on significant remote contingencies and contingencies that cannot be quantified.

The above schedule should be read in conjunction with the accompanying notes.

Administered Schedule of Comprehensive Income
for the period ended 30 June 2012

	Notes	2012 \$'000	2011 \$'000
EXPENSES			
Suppliers	15A	531	-
Subsidies	15B	161,046	161,343
Write-down and impairment of assets	15C	363	46
Total expenses administered on behalf of Government		161,940	161,389
LESS:			
OWN-SOURCE INCOME			
Own-source revenue			
Taxation revenue			
Other taxes	16A	437,239	372,334
Total taxation revenue		437,239	372,334
Non-taxation revenue			
Sale of goods and rendering of services	16B	3,213	3,156
Fees and fines	16C	41,457	41,119
Other revenue	16D	160,904	160,654
Total non-taxation revenue		205,574	204,929
Total own-source revenue administered on behalf of Government		642,813	577,263
Gains			
Sale of assets	16E	3,562	2,863
Reversal of previous asset write-downs and impairments	16F	-	9
Total gains administered on behalf of Government		3,562	2,872
Total own-source income administered on behalf of Government		646,375	580,135
Net cost of (contribution by) services		484,435	418,746
Income tax expense		-	-
Surplus (Deficit) after income tax on continuing operations		484,435	418,746
OTHER COMPREHENSIVE INCOME			
Total comprehensive income (loss)		-	-
Total comprehensive income (loss) attributable to the Australian Government		484,435	418,746

The above schedule should be read in conjunction with the accompanying notes.

Administered Schedule of Assets and Liabilities
as at 30 June 2012

	Notes	2012 \$'000	2011 \$'000
ASSETS			
Financial assets			
Cash and cash equivalents	17A	377	408
Taxation receivables	17B	207,545	158,642
Trade and other receivables	17C	39,095	38,189
Total financial assets		247,017	197,239
Total assets administered on behalf of Government		247,017	197,239
LIABILITIES			
Payables			
Subsidies	18A	83	5
Other payables	18B	6,440	3,675
Total payables		6,523	3,680
Total liabilities administered on behalf of Government		6,523	3,680
Net assets		240,494	193,559

The above schedule should be read in conjunction with the accompanying notes.

Administered Reconciliation Schedule		
	2012	2011
	\$'000	\$'000
Opening administered assets less administered liabilities as at 1 July	193,559	353,689
Adjusted opening administered assets less administered liabilities	193,559	353,689
Plus: Administered income	646,375	580,135
Less: Administered expenses (non CAC)	(161,940)	(161,389)
Appropriation transfers from OPA:	10,535	9,106
Transfers to OPA	(448,035)	(587,982)
Closing administered assets less administered liabilities as at 30 June	240,494	193,559

Administered Cash Flow Statement
for the period ended 30 June 2012

	Notes	2012 \$ '000	2011 \$ '000
OPERATING ACTIVITIES			
Cash received			
Sales of goods and rendering of services		3,225	6,069
Interest		-	-
Dividends		-	-
Taxes		401,357	554,932
Fees		40,916	37,639
Fines		332	216
Net GST received		6,481	6,988
Other		75,321	69,511
Total cash received		527,632	675,355
Cash used			
Subsidies paid		(80,619)	(78,657)
Personal benefits		-	-
Suppliers		(210)	-
Other		(12,942)	(21,378)
Total cash used		(93,771)	(100,035)
Net cash flows from (used by) operating activities	19	433,861	575,320
INVESTING ACTIVITIES			
Cash received			
Proceeds from sale of of intangibles		3,609	3,070
Total cash received		3,609	3,070
Net cash flows from (used by) investing activities		3,609	3,070
Net increase (decrease) in Cash Held		437,470	578,390
Cash and cash equivalents at the beginning of the reporting period		408	894
Cash from Official Public Account for:			
- Appropriations		10,534	9,106
		10,534	9,106
Cash to Official Public Account for:			
- Appropriations		(448,035)	(587,982)
		(448,035)	(587,982)
Effect of exchange rate movements on cash and cash equivalents at the beginning of the reporting period		-	-
Cash and cash equivalents at the end of the reporting period		377	408

This schedule should be read in conjunction with the accompanying notes.

Schedule of Administered Commitments

as at 30 June 2012

The ACMA has no administered commitments as at 30 June 2012 and had no administered commitments as at 30 June 2011.

Schedule of Administered Contingencies

as at 30 June 2012

The ACMA has no administered contingencies as at 30 June 2012 and had no administered contingencies as at 30 June 2011.

Details of each class of contingent liabilities and contingent assets in the above table are disclosed in Note 21: Administered Contingent Assets and Liabilities, along with information on significant remote contingencies and contingencies that cannot be quantified.

The above schedule should be read in conjunction with the accompanying notes.

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Note 1: Summary of Significant Accounting Policies

1.1 Objectives of The Australian Communications and Media Authority

The Australian Communications and Media Authority (ACMA) is an Australian Government controlled entity. The objective of the ACMA is to enable a communications and media environment that balances the needs of the industry and the Australian community through regulation, education and advice.

The following table outlines the 2011-12 outcomes and programs for the ACMA (There has been no change in the programs this year):

Outcome 1 : A communications and media environment that balances the needs of the industry and the Australian community through regulation, education and advice.
Program 1.1: Communications regulation, planning and licensing
Program 1.2: Consumer safeguards, education and information.

The continued existence of the ACMA in its present form and with its present programs is dependent on Government policy and on continuing appropriations by Parliament for the ACMA's administration and programs.

The ACMA's activities contributing toward these outcomes are classified as either departmental or administered.

- Departmental activities involve the use of assets, liabilities, income and expenses controlled or incurred by the ACMA in its own right.
- Administered activities involve the management or oversight by the ACMA, on behalf of the Government, of items controlled or incurred by the Government.

The ACMA conducts the following administered activities on behalf of the Government:

- regulation of the telecommunications and radiofrequency services;
- managing access to the radiofrequency spectrum bands through radiocommunications licence arrangements;
- regulating compliance with the relevant legislation, licence conditions, codes of conduct and other service standards;
- promoting and facilitating industry self-regulation, exercising its powers when necessary, and reporting on matters of importance to the communication industry,
- managing Australia's "Do Not Call Register"; and
- representing Australia's communication interests internationally.

1.2 Basis of Preparation of the Financial Statements

The financial statements are general purpose financial statements and are required by section 49 of the *Financial Management and Accountability Act 1997*.

The Financial Statements have been prepared in accordance with:

- a) Finance Minister's Orders (or FMOs) for reporting periods ending on or after 1 July 2011; and
- b) Australian Accounting Standards and Interpretations issued by the Australian Accounting Standards Board (AASB) that apply for the reporting period.

The financial statements have been prepared on an accrual basis and in accordance with the historical cost convention, except for certain assets and liabilities at fair value. Except where stated, no allowance is made for the effect of changing prices on the results or the financial position.

The financial statements are presented in Australian dollars and values are rounded to the nearest thousand dollars unless otherwise specified.

Note 1: Summary of Significant Accounting Policies

Unless an alternative treatment is specifically required by an accounting standard or the FMOs, assets and liabilities are recognised in the balance sheet when and only when it is probable that future economic benefits will flow to the ACMA or a future sacrifice of economic benefits will be required, and the amounts of the assets or liabilities can be reliably measured. However, assets and liabilities arising under executor contracts are not recognised unless required by an accounting standard. Liabilities and assets that are unrecognised are reported in the schedule of commitments or the schedule of contingencies.

Unless alternative treatment is specifically required by an accounting standard, income and expenses are recognised in the Statement of Comprehensive Income when and only when the flow, consumption or loss of economic benefits has occurred and can be reliably measured.

Administered revenues, expenses, assets and liabilities and cash flows reported in the Schedule of Administered Items and related notes are accounted for on the same basis, using the same policies as for departmental items, except where otherwise stated at Note 1.18.

1.3 Significant Accounting Judgements and Estimates

In the process of applying the accounting policies listed in this note, the ACMA has made the following judgements that have the most significant impact on the amounts recorded in the financial statements:

- The fair value of land and buildings has been taken to be the market value of similar properties as determined by an independent valuer. In some instances, the ACMA's buildings are purpose-built and may in fact realise more or less in the market.

Other than as noted below, no other accounting assumptions or estimates have been identified that have a significant risk of causing a material adjustment to carrying amounts of assets and liabilities within the next reporting period.

- The amortised value of the administered receivable from broadcasting licence fees and datacasting charges has been estimated based on the prior year assessed licence fees on the assumption that all rebates will be claimed by broadcasting licensees and regardless of licensee compliance with rebate conditions. No indexation or other adjustments have applied for inflation, new participants paying the levies and charges or growth in earnings from broadcasting.

1.4 New Australian Accounting Standards

Adoption of New Australian Accounting Standard Requirements

No accounting standard has been adopted earlier than the application date as stated in the standard. No new standards, revised standards or interpretations that were issued prior to the sign off date, were applicable to the current reporting period had a financial impact on the entity.

1.5 Revenue

Revenue from Government

Amounts appropriated for departmental appropriations for the year (adjusted for any formal additions and reductions) are recognised as Revenue from Government when the ACMA gains control of the appropriation, except for certain amounts that relate to activities that are reciprocal in nature, in which case revenue is recognised only when it has been earned.

Appropriations receivable are recognised at their nominal amounts.

Resources Received Free of Charge

Resources received free of charge are recognised as revenue when a fair value can be reliably determined and the services would have been purchased if they had not been donated. Use of those resources is recognised as an expense.

Resources received free of charge are recorded as either revenue or gains depending on their nature.

Contributions of assets at no cost of acquisition or for a nominal consideration are recognised as gains at their fair value when the asset qualifies for recognition, unless received from another Government agency or authority as a consequence of a restructuring of administrative arrangements (refer to Note 1.7).

Parental Leave Payments Scheme

Amounts received under the Parental Leave Payments Scheme by the entity not yet paid to employees have been presented at the gross amount as cash and a liability (payable). The total amount received under this scheme is disclosed as a footnote to Note 4: Revenue from Government.

Note 1: Summary of Significant Accounting Policies

Other Types of Revenue

Revenue from the sale of goods is recognised when:

- the risks and rewards of ownership have been transferred to the buyer;
- the ACMA retains no managerial involvement or effective control over the goods;
- the revenue and transaction costs incurred can be reliably measured; and
- it is probable that the economic benefits associated with the transaction will flow to the ACMA.

Revenue from rendering of services is recognised by reference to the stage of completion of contracts at the reporting date. The revenue is recognised when:

- the amount of revenue, stage of completion and transaction costs incurred can be reliably measured; and
- the probable economic benefits associated with the transaction will flow to the ACMA.

The stage of completion of contracts at the reporting date is determined by reference to the proportion that costs incurred to date bear to the estimated total costs of the transaction.

Receivables for goods and services, which have 30 day terms, are recognised at the nominal amounts due less any impairment allowance account. Collectability of debts is reviewed at the end of reporting period. Allowances are made when collectability of the debt is no longer probable.

1.6 Gains

Resources Received Free of Charge

Resources received free of charge are recognised as gains when a fair value can be reliably determined and the services would have been purchased if they had not been donated. Use of those resources is recognised as an expense.

Resources received free of charge are recorded as either revenue or gains depending on their nature.

Contributions of assets at no cost of acquisition or for nominal consideration are recognised as gains at their fair value when the asset qualifies for recognition, unless received from another Government entity as a consequence of a restructuring of administrative arrangements (Refer to Note 1.7).

Sale of Assets

Gains from disposal of assets are recognised when control of the asset has passed to the buyer.

1.7 Transactions with the Government as Owner

Equity Injections

Amounts appropriated which are designated as 'equity injections' for a year (less any formal reductions) and Departmental Capital Budgets (DCBs) are recognised directly in contributed equity in that year.

Restructuring of Administrative Arrangements

Net assets received from or relinquished to another Australian Government entity under a restructuring of administrative arrangements are adjusted at their book value directly against contributed equity.

Other Distributions to Owners

The FMOs require that distributions to owners be debited to contributed equity unless it is in the nature of a dividend. In 2011-12, no surplus output appropriation funding was relinquished and returned to the Official Public Account. Last year, the ACMA also had no surplus output appropriation funding to relinquish.

1.8 Employee Benefits

Liabilities for 'short-term employee benefits' (as defined in AASB 119 *Employee Benefits*) and termination benefits due within twelve months of end of reporting period are measured at their nominal amounts.

The nominal amount is calculated with regard to the rates expected to be paid on settlement of the liability.

Other long-term employee benefits are measured as net total of the present value of the defined benefit obligation at the end of the reporting period minus the fair value at the end of the reporting period of plan assets (if any) out of which the obligations are to be settled directly.

Note 1: Summary of Significant Accounting Policies

Leave

The liability for employee benefits includes provision for annual leave and long service leave. No provision has been made for sick leave as all sick leave is non-vesting and the average sick leave taken in future years by employees of the ACMA is estimated to be less than the annual entitlement for sick leave.

The leave liabilities are calculated on the basis of employees' remuneration at the estimated salary rates that will be applied at the time the leave is taken, including the ACMA's employer superannuation contribution rates to the extent that the leave is likely to be taken during service rather than paid out on termination.

The liability for long service leave has been determined by reference to the short hand method prescribed by the Department of Finance and Deregulation's Finance Brief 13 Measurement of Commonwealth Sector Employee Leave Entitlements. The estimate of the present value of the liability takes into account attrition rates and pay increases through promotion and inflation.

Separation and Redundancy

Provision is made for separation and redundancy benefit payments. The ACMA recognises a provision for termination when it has developed a detailed formal plan for the terminations and has informed those employees affected that it will carry out the terminations.

Superannuation

The ACMA's staff are members of the Commonwealth Superannuation Scheme (CSS), the Public Sector Superannuation Scheme (PSS) or the PSS accumulation plan (PSSap).

The CSS and PSS are defined benefit schemes for the Australian Government. The PSSap is a defined contribution scheme.

The liability for defined benefits is recognised in the financial statements of the Australian Government and is settled by the Australian Government in due course. This liability is reported by the Department of Finance and Deregulation as an administered item.

The ACMA makes employer contributions to the employees' superannuation scheme at rates determined by an actuary to be sufficient to meet the current cost to the Government of the superannuation entitlements of the ACMA's employees. The ACMA accounts for the contributions as if they were contributions to defined contribution plans.

The ACMA makes contributions to other approved superannuation funds nominated by employees who have exercised their right to choose other funds. The contributions are made at a fixed rate to defined contribution schemes.

The liability for superannuation recognised as at 30 June represents outstanding contributions for the final fortnight of the year.

1.9 Leases

A distinction is made between finance leases and operating leases.

- Finance leases effectively transfer from the lessor to the lessee substantially all the risks and rewards incidental to ownership of leased assets.
- An operating lease is a lease that is not a finance lease. In operating leases, the lessor effectively retains substantially all such risks and benefits.

Where an asset is acquired by means of a finance lease, the asset is capitalised at either the fair value of the lease property or, if lower, the present value of minimum lease payments at the inception of the contract and a liability is recognised at the same time and for the same amount.

The discount rate used is the interest rate implicit in the lease. Leased assets are amortised over the period of the lease. Lease payments are allocated between the principal component and the interest expense.

Operating lease payments are expensed on a straight-line basis which is representative of the pattern of benefits derived from the leased assets.

1.10 Cash

Cash is recognised at its nominal amount. Cash and cash equivalents includes:

- cash on hand;
- cash held with outsiders, and
- cash in special accounts.

Note 1: Summary of Significant Accounting Policies

1.11 Financial Assets

The only category of financial assets held by the ACMA is "loans and receivables".

These financial assets are not interest bearing, and are recognised and derecognised upon trade date.

Loans and Receivables

Loans and other receivables that have fixed or determinable payments, not quoted in an active market are classified as 'loans and receivables'. Loans and receivables are measured at amortised cost using the effective interest method less impairment.

Impairment of Financial Assets

Financial assets are assessed for impairment at the end of each reporting period.

Financial assets held at amortised cost - if there is objective evidence that an impairment loss has been incurred for loans and receivables, the amount of the loss is measured as the difference between the asset's carrying amount and the present value of estimated future cash flows discounted at the asset's original effective interest rate. The carrying amount is reduced by way of an allowance account. The loss is recognised in the Statement of Comprehensive Income.

1.12 Financial Liabilities

The only category of financial liabilities in the ACMA is classified as "other financial liabilities".

Financial liabilities are recognised and derecognised upon trade date.

Other Financial Liabilities

Other financial liabilities are initially measured at fair value, net of transaction costs. These liabilities are subsequently measured at amortised cost using the effective interest method, with interest expense recognised on an effective yield basis.

The effective interest method is a method of calculating the amortised cost of a financial liability and of allocating interest expense over the relevant period. The effective interest rate is the rate that exactly discounts estimated future cash payments through the expected life of the financial liability, or, where appropriate, a shorter period.

Supplier and other payables are recognised at amortised cost. Liabilities are recognised to the extent that the goods or services have been received (and irrespective of having been invoiced).

1.13 Contingent Liabilities and Contingent Assets

Contingent liabilities and contingent assets are not recognised in the balance sheet but are reported in the relevant schedules and notes. They may arise from uncertainty as to the existence of a liability or asset or represent an asset or liability in respect of which the amount cannot be reliably measured. Contingent assets are disclosed when settlement is probable but not virtually certain and contingent liabilities are disclosed when settlement is greater than remote.

1.14 Acquisition of Assets

Assets are recorded at cost on acquisition except as stated below. The cost of acquisition includes the fair value of assets transferred in exchange and liabilities undertaken. Financial assets are initially measured at their fair value plus transaction costs where appropriate.

Assets acquired at no cost, or for nominal consideration, are initially recognised as assets and income at their fair value at the date of acquisition, unless acquired as a consequence of restructuring of administrative arrangements. In the latter case, assets are initially recognised as contributions by owners at the amounts at which they were recognised in the transferor's accounts immediately prior to the restructuring.

Note 1: Summary of Significant Accounting Policies

1.15 Property, Plant and Equipment

Asset Recognition Threshold

Purchases of property, plant and equipment are recognised initially at cost in the balance sheet, except for purchases costing less than the applicable threshold, which are expensed in the year of acquisition (other than where they form part of a group of similar items which are significant in total). The asset thresholds have not been changed during the current financial year.

Asset Class	Threshold
Buildings	\$50,000
Leasehold improvements	\$10,000
Plant and equipment	\$5,000
Motor vehicles	\$10,000
Software - purchased	\$10,000
Software - internally developed	\$10,000

The initial cost of an asset includes an estimate of the cost of dismantling and removing the item and restoring the site on which it is located. This is particularly relevant to 'make good' provisions in property leases taken up by the ACMA where there exists an obligation to restore the property to its original condition. These costs are included in the value of the ACMA's leasehold improvements with a corresponding provision for the 'make good' recognised.

Revaluations

Fair values for each class of asset are determined as shown below.

Most of the ACMA's motor vehicles have been extensively modified for specific purposes, and will require considerable expense to rectify the modifications made. This means that the market value of the vehicle can no longer be considered the most realistic method of valuation. The revaluation cycle for motor vehicles was changed during the current financial year from annually to tri-annually as it was found that the revaluation movement was not material and was un-economical to continue.

Asset Class	Revaluation cycle	Fair Value Measured at
Land	Annually	Market selling price
Building	Tri-annually	Market selling price
Leasehold Improvements	Tri-annually	Market selling price or depreciated replacement cost
Plant & Equipment	Tri-annually	Market selling price or depreciated replacement cost
Motor Vehicles	Tri-annually	Market selling price or depreciated replacement cost

Following initial recognition at cost, property plant and equipment are carried at fair value less subsequent accumulated depreciation and accumulated impairment losses. Valuations are conducted with sufficient frequency to ensure that the carrying amounts of assets do not differ materially from the assets' fair values as at the reporting date. The regularity of independent valuations depends upon the volatility of movements in market values for the relevant assets.

Revaluation adjustments are made on a class basis. Any revaluation increment is credited to equity under the heading of asset revaluation reserve except to the extent that it reverses a previous revaluation decrement of the same asset class that was previously recognised in the surplus/deficit. Revaluation decrements for a class of assets are recognised directly in the surplus/deficit except to the extent that they reverse a previous revaluation increment for that class.

- Land was revalued in June 2012.
- All other assets were last valued in June 2010 and are scheduled for revaluation next year.

Any accumulated depreciation as at the revaluation date is eliminated against the gross carrying amount of the asset and the asset restated to the revalued amount.

Depreciation

Depreciable property, plant and equipment assets are written-off to their estimated residual values over their estimated useful lives to the ACMA using, in all cases, the straight-line method of depreciation.

Depreciation rates (useful lives), residual values and methods are reviewed at each reporting date and necessary adjustments are recognised in the current, or current and future reporting periods, as appropriate.

Depreciation rates applying to each class of depreciable asset are based on the following useful lives, which are the same as last year:

Asset Class	Useful Life
Buildings	5 to 40 years
Plant & Equipment	3 to 15 years
Motor vehicles	5 to 10 years

Land has indefinite useful life and is not depreciated.

Note 1: Summary of Significant Accounting Policies

Impairment

All assets were assessed for impairment at 30 June 2012. Where indications of impairment exist, the asset's recoverable amount is estimated and an impairment adjustment made if the asset's recoverable amount is less than its carrying amount.

The recoverable amount of an asset is the higher of its fair value less costs to sell and its value in use. Value in use is the present value of the future cash flows expected to be derived from the asset. Where the future economic benefit of an asset is not primarily dependent on the asset's ability to generate future cash flows, and the asset would be replaced if the ACMA were deprived of the asset, its value in use is taken to be its depreciated replacement cost.

Derecognition

An item of property, plant and equipment is derecognised upon disposal or when no further future economic benefits are expected from its use or disposal.

1.16 Intangibles

The ACMA's intangibles comprise internally developed and purchased software for internal use. These assets are carried at cost less accumulated amortisation and accumulated impairment losses.

Software is amortised on a straight-line basis over its anticipated useful life. The useful lives of the ACMA's software are 3 to 10 years, and have not changed from previous years.

All software assets were assessed for indications of impairment as at 30 June 2012.

1.17 Taxation / Competitive Neutrality

The ACMA is exempt from all forms of taxation except Fringe Benefits Tax (FBT) and the Goods and Services Tax (GST).

Revenues, expenses and assets are recognised net of GST except:

- where the amount of GST incurred is not recoverable from the Australian Taxation Office; and
- for receivables and payables.

Competitive Neutrality

The ACMA does not provide any services on a for profit basis and does not have any Competitive Neutrality obligations.

Note 1: Summary of Significant Accounting Policies

1.18 Reporting of Administered Activities

Administered revenues, expenses, assets, liabilities and cash flows are disclosed in the schedule of administered items and related notes.

Except where otherwise stated below, administered items are accounted for on the same basis and using the same policies as for departmental items, including the application of Australian Accounting Standards.

Administered Cash Transfers to and from the Official Public Account

Revenue collected by the ACMA for use by the Government rather than the ACMA is administered revenue. Collections are transferred to the Official Public Account (OPA) maintained by the Department of Finance and Deregulation. Conversely, cash is drawn from the OPA to make payments under Parliamentary appropriation on behalf of Government. These transfers to and from the OPA are adjustments to the administered cash held by the ACMA on behalf of the Government and reported as such in the statement of cash flows in the schedule of administered items and in the administered reconciliation table in the Schedule of Administered Items. Thus the Schedule of Administered Items largely reflects the Government's transactions, through the ACMA, with parties outside the Government.

Revenue

All administered revenues are revenues relating to the course of ordinary activities performed by the ACMA on behalf of the Australian Government.

Contributions from industries in the form of taxes, industry levies and fines are recognised as revenue when:

- The economic activity giving rise to the Government's right to the contribution has taken place; and
- The liability to contribution can be reliably measured.

Loans and Receivables

Where loans and receivables are not subject to concessional treatment, they are carried at amortised cost using the effective interest method. Gains and losses due to impairment, derecognition and amortisation are recognised through profit or loss.

Subsidies

The ACMA administers the Universal Service Obligation (USO) and National Relay Service (NRS) subsidy schemes on behalf of the Government.

Subsidy liabilities are recognised to the extent that:

- the services required to be performed by the grantee have been performed or
- the grant eligibility criteria have been satisfied, but payments due have not been made.

With effect from 01 July 2012 a new agency, the Telecommunications Universal Service Management Agency (TUSMA) has been created. The agency will be assuming some of the functions of the ACMA relating to USO and NRS. The ACMA will continue to collect the levies on behalf of the TUSMA, remit them to the Official Public Account and report them as Taxation Revenues and not Subsidies Collected.

The future reporting of Special Accounts, Subsidies Collected, and Subsidies Paid will reduce over future years and eventually cease to be reported by the ACMA.

Note 2: Events After the Reporting Period

Departmental

No event has occurred after the balance date that should be disclosed in these statements.

Administered

With effect from 01 July 2012 a new agency, the Telecommunications Universal Service Management Agency (TUSMA) has been created. The agency will be assuming some of the functions of the ACMA relating to USO and NRS. The ACMA will continue to collect the levies on behalf of the TUSMA, remit them to the Official Public Account and report them as Taxation Revenues and not Subsidies Collected.

Note 3: Expenses

	2012 \$'000	2011 \$'000
Note 3A: Employee Benefits		
Wages and salaries	48,202	49,648
Superannuation:		
Defined contribution plans	3,538	3,544
Defined benefit plans	5,504	5,865
Leave and other entitlements	12,209	9,228
Separation and redundancies	1,817	654
Total employee benefits	71,270	68,939
Note 3B: Suppliers		
Goods and services		
Consultants	2,409	2,290
Contractors	4,831	5,018
Outsourced services	3,812	4,919
Stationery and publications	874	805
Legal costs	830	757
Occupancy costs	2,464	2,550
I.T. and communications services	4,735	5,137
Travel costs	3,345	3,377
Other	4,780	4,763
Total goods and services	28,080	29,616
Goods and services are made up of:		
Provision of goods – related entities	5	2
Provision of goods – external parties	933	1,027
Rendering of services – related entities	1,216	1,499
Rendering of services – external parties	25,926	27,088
Total goods and services	28,080	29,616
Other supplier expenses		
Operating lease rentals – external parties:		
Minimum lease payments	6,606	5,280
Workers compensation expenses	359	315
Total other supplier expenses	6,965	5,595
Total supplier expenses	35,045	35,211

Note 3: Expenses

	2012 \$'000	2011 \$'000
Note 3C: Depreciation and Amortisation		
Depreciation:		
Buildings and leasehold improvements	1,045	1,946
Property, plant and equipment	2,614	2,553
Total depreciation	3,659	4,499
Amortisation:		
Intangibles	2,685	2,503
Total amortisation	2,685	2,503
Total depreciation and amortisation	6,344	7,002
Note 3D: Write-Down and Impairment of Assets		
Asset write-downs and impairments from:		
Impairment on financial instruments	1	1
Impairment of property, plant and equipment	109	63
Total write-down and impairment of assets	110	64

Note 4: Income

	2012 \$'000	2011 \$'000
REVENUE		
<i>Note 4A: Sale of Goods and Rendering of Services</i>		
Provision of goods - related entities	231	52
Provision of goods - external parties	251	267
Rendering of services - related entities	-	(132)
Rendering of services - external parties	4	3
Total sale of goods and rendering of services	486	190
<i>Note 4B: Other Revenue</i>		
Number allocation charges	960	955
Other	95	139
Total other revenue	1,055	1,094
GAINS		
<i>Note 4C: Sale of Assets</i>		
Property, plant and equipment:		
Proceeds from sale	-	22
Carrying value of assets sold	-	(8)
Net gain from sale of assets	-	14
<i>Note 4D: Other Gains</i>		
Resources received free of charge	84	81
Total other gains	84	81
REVENUE FROM GOVERNMENT		
<i>Note 4E: Revenue from Government</i>		
Appropriations:		
Departmental outputs	103,526	98,935
Total revenue from Government	103,526	98,935

The entity received \$nil (2010:\$nil) under the Paid Parental Leave Scheme.

Note 5: Financial Assets

	2012	2011
	\$'000	\$'000
Note 5A: Cash and Cash Equivalents		
Cash on hand or on deposit	1,250	947
Cash held by outsiders	65	82
Total cash and cash equivalents	1,315	1,029
Note 5B: Trade and Other Receivables		
Good and Services:		
Goods and services - related entities	-	-
Goods and services - external parties	113	95
Total receivables for goods and services	113	95
Appropriations receivable:		
For existing outputs	27,399	30,368
Total appropriations receivable	27,399	30,368
Other receivables:		
GST receivable from the Australian Taxation Office	546	645
Other	699	668
Total other receivables	1,245	1,313
Total trade and other receivables (gross)	28,757	31,776
Less impairment allowance account:		
Goods and services	53	52
Total impairment allowance account	53	52
Total trade and other receivables (net)	28,704	31,724
Receivables are expected to be recovered in:		
No more than 12 months	28,704	31,724
More than 12 months	-	-
Total trade and other receivables (net)	28,704	31,724
Receivables are aged as follows:		
Not overdue	28,678	31,685
Overdue by:		
0 to 30 days	-	28
31 to 60 days	26	10
61 to 90 days	-	1
More than 90 days	53	52
Total receivables (gross)	28,757	31,776
The impairment allowance account is aged as follows:		
Not overdue	-	-
Overdue by:		
0 to 30 days	-	-
31 to 60 days	-	-
61 to 90 days	-	-
More than 90 days	53	52
Total impairment allowance account	53	52

Note 5: Financial Assets

Reconciliation of the Impairment Allowance Account:

Movements in relation to 2012

	Goods and services \$'000	Total \$'000
Opening balance	52	52
Increase/ (decrease) recognised in net surplus	1	1
Closing balance	53	53

Movements in relation to 2011

	Goods and services \$'000	Total \$'000
Opening balance	51	51
Increase/ (decrease) recognised in net surplus	1	1
Closing balance	52	52

Note 6: Non-Financial Assets

	2012 \$'000	2011 \$'000
Note 6A: Land and Buildings		
Land at fair value	6,830	7,440
Total Land	6,830	7,440
Buildings on freehold land:		
Fair value	288	288
Accumulated depreciation	(31)	(15)
Total buildings on freehold land	257	273
Leasehold improvements:		
Fair value	9,704	7,548
Accumulated depreciation	(3,334)	(2,304)
Total leasehold improvements	6,370	5,244
Total land and buildings	13,457	12,957

No indicators of impairment were found for land and buildings.

Land was revalued by independent valuers at 30 June 2012 in accordance with the revaluation policy stated at Note 1.15.

No land or buildings are expected to be sold or disposed of within the next 12 months.

Note 6B: Property, Plant and Equipment

Property, plant and equipment:

Fair value	12,380	11,829
Accumulated depreciation	(5,241)	(2,693)
Total Property, plant and equipment	7,139	9,136

No indicators of impairment were found for property, plant and equipment.

No property, plant or equipment is expected to be sold or disposed of within the next 12 months.

No revaluations were conducted this year as a full valuation of all assets was conducted in 2010. The next revaluation is scheduled for next year. Motor vehicles were not valued as they are not material. Refer to Note 1.15.

Revaluations of non-financial assets

Revaluation decrement of \$610,000 for land (2011: decrement of \$350,000). \$575,000 was debited to the Revaluation Reserve (2009: \$350,000) and \$35,000 was expensed (2009: nil).

Movements on the revaluation reserves are as follows:

Asset Class	Increment (Decrement)	Increment (Decrement)
Land	(575)	(350)

Note 6: Non-Financial Assets

Note 6C: Reconciliation of the Opening and Closing Balances of Property, Plant and Equipment (2011-12)

	Land \$'000	Buildings \$'000	Total land and buildings \$'000	Other property, plant & equipment \$'000	Total \$'000
As at 1 July 2011					
Gross book value	7,440	7,836	15,276	11,829	27,105
Accumulated depreciation and impairment	-	(2,319)	(2,319)	(2,693)	(5,012)
Net book value 1 July 2011	7,440	5,517	12,957	9,136	22,093
Additions*					
By purchase	-	-	-	2,708	2,708
Revaluations and impairments recognised in other comprehensive income	(575)	-	(575)	-	(575)
Revaluations recognised in the operating result	(35)	-	(35)	-	(35)
Impairments recognised in the operating result	-	-	-	(74)	(74)
Depreciation expense	-	(1,045)	(1,045)	(2,614)	(3,659)
Reclassification	-	2,156	2,156	(2,017)	139
Other	-	(1)	(1)	-	(1)
Net book value 30 June 2012	6,830	6,627	13,457	7,139	20,596
Net book value as of 30 June 2012 represented by:					
Gross book value	6,830	9,991	16,821	12,380	29,201
Accumulated depreciation and impairment	-	(3,364)	(3,364)	(5,241)	(8,605)
	6,830	6,627	13,457	7,139	20,596

Note 6C (Cont'd): Reconciliation of the Opening and Closing Balances of Property, Plant and Equipment (2010-11)

	Land \$'000	Buildings \$'000	Total land and buildings \$'000	Other property, plant & equipment \$'000	Total \$'000
As at 1 July 2010					
Gross book value	7,790	4,326	12,116	7,888	20,004
Accumulated depreciation and impairment	-	(1,178)	(1,178)	(164)	(1,342)
Net book value 1 July 2010	7,790	3,148	10,938	7,724	18,662
Additions*					
By purchase	-	-	-	7,418	7,418
Revaluations and impairments recognised in other comprehensive income	(350)	-	(350)	-	(350)
Impairments recognised in the operating result	-	-	-	(63)	(63)
Depreciation expense	-	(1,946)	(1,946)	(2,553)	(4,499)
Reclassifications	-	4,880	4,880	(3,306)	1,574
Disposals:	-	(565)	(565)	(84)	(649)
Net book value 30 June 2011	7,440	5,517	12,957	9,136	22,093
Net book value as of 30 June 2011 represented by:					
Gross book value	7,440	7,836	15,276	11,829	27,105
Accumulated depreciation and impairment	-	(2,319)	(2,319)	(2,693)	(5,012)
	7,440	5,517	12,957	9,136	22,093

Note 6: Non-Financial Assets

	2012 \$'000	2011 \$'000
Note 6D: Intangibles		
Computer software:		
Internally developed – in progress	13,450	5,728
Internally developed – in use	18,627	16,559
Purchased	10,180	9,469
Total computer software (gross)	42,257	31,756
Accumulated amortisation	(22,126)	(19,541)
Total computer software (net)	20,131	12,215
Total intangibles	20,131	12,215

No indicators of impairment were found for intangible assets.

No intangibles are expected to be sold or disposed of within the next 12 months.

Note 6: Non-Financial Assets

Note 6E: Reconciliation of the Opening and Closing Balances of Intangibles (2012-12)

	Computer software internally developed \$'000	Computer software purchased \$'000	Total \$'000
As at 1 July 2011			
Gross book value	22,287	9,469	31,756
Accumulated amortisation and impairment	(13,924)	(5,617)	(19,541)
Net book value 1 July 2011	8,363	3,852	12,215
Additions*			
Internally developed	10,741	-	10,741
Impairments recognised in the operating result	-	-	-
Amortisation	(1,284)	(1,401)	(2,685)
Reclassifications	(951)	812	(139)
Other	-	(1)	(1)
Net book value 30 June 2012	16,869	3,262	20,131
Net book value as of 30 June 2012 represented by:			
Gross book value	32,077	10,180	42,257
Accumulated amortisation and impairment	(15,208)	(6,918)	(22,126)
	16,869	3,262	20,131

Note 6E (Cont'd): Reconciliation of the Opening and Closing Balances of Intangibles (2010-11)

	Computer software internally developed \$'000	Computer software purchased \$'000	Total \$'000
As at 1 July 2010			
Gross book value	19,147	7,106	26,253
Accumulated amortisation and impairment	(12,838)	(4,261)	(17,099)
Net book value 1 July 2010	6,309	2,845	9,154
Additions*			
Internally developed	7,137	-	7,137
Amortisation	(1,087)	(1,416)	(2,503)
Reclassifications	(3,997)	2,423	(1,574)
Net book value 30 June 2011	8,363	3,852	12,215
Net book value as of 30 June 2011 represented by:			
Gross book value	22,287	9,469	31,756
Accumulated amortisation and impairment	(13,924)	(5,617)	(19,541)
	8,363	3,852	12,215

Note 6: Non-Financial Assets

	2012 \$'000	2011 \$'000
Note 6F: Other Non-Financial Assets		
Prepaid expenses	<u>1,606</u>	<u>1,274</u>
Total other non-financial assets	<u>1,606</u>	<u>1,274</u>
No indicators of impairment were found for other non-financial assets.		
Total other non-financial assets - are expected to be recovered in:		
No more than 12 months	<u>1,606</u>	<u>1,274</u>
Total other non-financial assets	<u>1,606</u>	<u>1,274</u>

Note 7: Payables

	2012	2011
	\$'000	\$'000
Note 7A: Suppliers		
Trade creditors and accruals	5,480	5,518
Operating lease rentals	430	150
Total supplier payables	5,910	5,668
Supplier payables expected to be settled within 12 months:		
External parties	5,483	5,521
Total	5,483	5,521
Supplier payables expected to be settled in greater than 12 months:		
External parties	427	147
Total	427	147
Total supplier payables	5,910	5,668
Settlement is usually made within 30 days.		
Note 7B: Other Payables		
Salaries and wages	2,475	2,327
Superannuation	245	217
Separations and redundancies	461	246
Other	50	10
Total other payables	3,231	2,800
Other payables are expected to be settled in:		
No more than 12 months	3,231	2,800
Total other payables	3,231	2,800

Note 8: Provisions

	2012 \$'000	2011 \$'000
Note 8A: Employee Provisions		
Leave	18,786	16,064
Total employee provisions	18,786	16,064

Employee provisions are expected to be settled in:

No more than 12 months	15,164	13,180
More than 12 months	3,622	2,884
Total employee provisions	18,786	16,064

Note 8B: Other Provisions

Provision for restoration obligations	1,930	1,856
Total other provisions	1,930	1,856

Other provisions are expected to be settled in:

More than 12 months	1,930	1,856
Total other provisions	1,930	1,856

Reconciliation of the Other Provisions Account:

	Provision for restoration \$'000	Total \$'000
Carrying amount 1 July 2011	1,856	1,856
Additional provisions made	74	74
Closing balance 30 June 2012	1,930	1,930

As indicated on the Schedule of Commitments, the ACMA currently has 4 major agreements for the leasing of premises which have provisions requiring the ACMA to restore the premises to their original condition at the conclusion of the lease. (2011: 4)

The ACMA revalues the restoration obligation each year using the market value of the obligation at reporting date.

Note 9: Cash Flow Reconciliation

	2012 \$'000	2011 \$'000
Reconciliation of cash and cash equivalents as per Balance Sheet to Cash Flow Statement		
Cash and cash equivalents as per:		
Cash flow statement	1,315	1,029
Balance sheet	1,315	1,029
Difference	-	-
Reconciliation of net cost of services to net cash from operating activities:		
Net cost of services	(111,144)	(109,837)
Add revenue from Government	103,526	98,935
Adjustments for non-cash items		
Depreciation / amortisation	6,344	7,002
Net write down of non-financial assets	110	64
Changes in assets / liabilities		
(Increase) / decrease in net receivables	(1,687)	5,208
(Increase) / decrease in prepayments	(332)	552
Increase / (decrease) in supplier payables	242	(2,772)
Increase / (decrease) in other payable	431	546
Increase / (decrease) in employee provisions	2,722	511
Increase / (decrease) in other provisions	74	288
Net cash used from operating activities	286	497

Note 10: Contingent Assets and Liabilities

	Claims for damages or costs		2012 2011 \$'000	2012 2011 \$'000
	2012	2011		
	\$'000	\$'000		
Contingent assets				
Balance from previous period	-	-	-	-
New	-	-	-	-
Expired	-	-	-	-
Total contingent assets	-	-	-	-
Contingent liabilities				
Balance from previous period	-	-	-	-
New	-	-	-	-
Obligations expired	-	-	-	-
Total contingent liabilities	-	-	-	-
Net contingent assets	-	-	-	-

Quantifiable Contingencies

The Schedule of Contingencies reports contingent assets in respect of claims for damages for 2011/12 are \$ nil (2011: \$nil).

The Schedule also reports contingent liabilities in respect of claims for damages or cost for 2011/12 are \$ nil (2011: \$nil).

Unquantifiable Contingencies

At 30 June 2012, the ACMA is involved in a number of legal proceedings, mostly of an administrative law nature, although some involved civil proceedings or prosecutions actioned by the ACMA. It is not possible to estimate the amounts of any eventual payments that may be required in relation to these claims.

Significant Remote Contingencies

The ACMA has no remote contingencies as at 30 June 2012 (2011: nil).

Note 11: Senior Executive and Member's Remuneration

Note 11A: Senior Executive's Remuneration Expense for the Reporting Period

	2012	2011
Short-term employee benefits:		
Salary	4,665,656	4,396,672
Annual leave accrued	81,944	84,549
Performance bonuses	208,633	246,052
Other Allowances	546,750	644,696
Total short-term employee benefits	5,502,983	5,371,969
Post-employment benefits:		
Superannuation	796,557	1,036,439
Total post-employment benefits	796,557	1,036,439
Other long-term benefits:		
Long-service leave	103,558	119,841
Total other long-term benefits	103,558	119,841
Termination benefits	-	86,418
Total	6,403,098	6,614,667

Notes:

1. Note 11A was prepared on an accrual basis (so the performance bonus expenses disclosed above differ from the cash 'Bonus paid' in Note 11B).
2. Note 11A excludes acting arrangements and part-year service where remuneration expensed for a senior executive was less than \$150,000.
3. "Other" includes motor vehicles allowances and other allowances.

Note 11B: Average Annual Reportable Remuneration Paid to Substantive Senior Executives During the Reporting Period

as at 30 June 2012

Average annual reportable remuneration ¹	Senior Executives No.	Reportable Salary ^{2,6} \$	Contributed superannuation ³ \$	Reportable allowances ⁴	Bonus paid ⁵	Total \$
Total remuneration (including part-time arrangements):						
Less than \$150,000	5	53,691	12,790	89	3,920	70,490
\$180,000 - \$209,999	1	125,627	74,753	0	9,260	209,640
\$210,000 - \$239,999	9	167,240	48,141	0	12,005	227,386
\$240,000 - \$269,999	6	183,980	48,843	83	16,242	249,148
\$270,000 - \$299,999	4	222,467	54,495	213	6,860	284,035
\$300,000 - \$329,999	1	179,829	94,157	-	29,401	303,387
\$330,000-\$359,999	1	280,910	57,850	-	-	338,760
\$440,000 - \$479,999	1	403,391	48,999	2,548	-	454,938

Total

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as at 30 June 2011

Average annual reportable remuneration ¹	Senior Executives No.	Fixed elements					Total \$
		Reportable Salary ^{2,6} \$	Contributed superannuation ³ \$	Reportable allowances ⁴	Bonus paid ⁵		
Total remuneration (including part-time arrangements):							
Less than \$150,000	8	52,943	16,925	-	1,139	71,007	
\$150,000 - \$179,999	2	137,154	18,281	98	9,423	164,956	
\$180,000 - \$209,999	2	149,608	28,296	0	19,134	197,038	
\$210,000 - \$239,999	15	163,590	47,415	58	13,430	224,493	
\$240,000 - \$269,999	1	189,293	63,849	-	15,077	268,219	
\$270,000 - \$299,999	3	189,821	65,843	22	18,846	274,532	
\$300,000 - \$329,999	1	253,558	50,000	1,886	-	305,444	
\$410,000 - \$439,999							
\$440,000 - \$479,999	1	366,513	48,999	1,465	-	416,977	
Total	33						

Note 11B: Average Annual Reportable Remuneration Paid to Substantive Senior Executives During the Reporting Period

Notes:

1. This table reports substantive senior executives who received remuneration during the reporting period. Each row is an averaged figure based on headcount for individuals in the band.
2. Reportable salary includes the following:
 - a) gross payments(less any bonuses paid which are separated and disclosed in the "bonus paid" column;
 - b) reportable fringe benefits(at the net amount prior to "grossing up" to account for tax benefits) and
 - c) exempt foreign employment income;
3. The 'contributed superannuation amount' is the average actual superannuation paid to senior executives in that reportable remuneration band during the reporting period, including any salary sacrificed amounts as per the 'superannuation' line on individuals' payment summaries.
4. 'Reportable allowances' are the average actual allowances paid as per the 'total allowances' line on individuals' payment summaries.
5. 'Bonus paid' represents average actual bonuses paid during the reporting period in that reportable remuneration band. The 'bonus paid' within a particular band may vary between financial years due to various factors such as individuals commencing with or leaving the entity during the financial year.
6. Various salary sacrifice arrangements were available to senior executives including superannuation, motor vehicle and expense payment fringe benefits. Salary sacrifice benefits are reported in the 'reportable salary' column, excluding salary sacrificed superannuation, which is reported in the 'contributed superannuation' column.

Note 11C: Other Highly Paid Staff

During the reporting period, there were no employees whose salary plus performance bonus were \$150,000 or more. These employees did not have a role as senior executive and were, therefore, not disclosed as senior executives in Note 11A and Note 11B.

Note 12: Remuneration of Auditors

2012	2011
\$'000	\$'000

Financial statement audit services were provided free of charge to the ACMA by the Australian National Audit Office (ANAO)

Fair value of the services provided:

Financial statement audit services	84	81
Total	84	81

No other services were provided by the auditors of the financial statements.

Note 13: Financial Instruments

	2012	2011
	\$'000	\$'000
Note 13A: Categories of Financial Instruments		
Financial Assets		
Loans and receivables:		
Cash and cash equivalents	1,315	1,029
Trade receivables (gross)	113	95
Total	1,428	1,124
Carrying amount of financial assets	1,375	1,072
Financial Liabilities		
At amortised cost:		
Trade payables	5,480	5,518
Total	5,480	5,518
Carrying amount of financial liabilities	5,480	5,518

Note 13B: Net Income and Expense from Financial Assets

Trade receivables are short term and non interest bearing. There is no income or expense from these assets.

Note 14C: Fair Value of Financial Instruments

All financial assets and liabilities are short term trade receivables and payables the carrying amounts of which are reasonable approximation of fair value.

Note 13: Financial Instruments

Note 13D: Credit Risk

The ACMA is exposed to minimal credit risk as loans and receivables are cash and trade receivables. The maximum exposure to credit risk is the risk that arises from potential default of a debtor. This amount is equal to the total amount of trade receivables (2012: \$113,000 and 2011: \$95,000). The ACMA has assessed the risk of the default on payment and has allocated \$53,000 in (2011: \$52,000) to an impairment allowance account.

The ACMA manages its credit risk by restricting the provision of goods and services on credit to pre-approved credit clients only. Credit limits granted to approved clients are re-assessed at least annually to ensure that the ACMA is not exposed to unacceptable credit risk.

The ACMA holds no collateral to mitigate against credit risk.

Credit quality of financial instruments not past due or individually determined as impaired

	Not past due nor impaired 2012 \$'000	Not past due nor impaired 2011 \$'000	Past due or impaired 2012 \$'000	Past due or impaired 2011 \$'000
Loans and receivables				
Cash and cash equivalents	1,315	1,029	-	-
Trade receivables	34	4	79	91
Total	1,349	1,033	79	91

Ageing of financial assets that were past due but not impaired for 2012

	0 to 30 days \$'000	31 to 60 days \$'000	61 to 90 days \$'000	90+ days \$'000	Total \$'000
Loans and receivables					
Trade receivables	-	26	-	-	26
Total	-	26	-	-	26

Ageing of financial assets that were past due but not impaired for 2011

	0 to 30 days \$'000	31 to 60 days \$'000	61 to 90 days \$'000	90+ days \$'000	Total \$'000
Loans and receivables					
Trade receivables	28	10	1	-	39
Total	28	10	1	-	39

Note 13: Financial Instruments

Note 13E: Liquidity Risk

The ACMA's financial liabilities are payables. The exposure to liquidity risk is based on the notion that the ACMA will encounter difficulty in meeting its obligations associated with financial liabilities.

This is highly unlikely as the ACMA is appropriated funding from the Australian Government and the ACMA manages its budgeted funds to ensure it has adequate funds to meet payments as they fall due. In addition, the ACMA has policies in place to ensure timely payment are made when due and has no past experience of default.

Maturities for non-derivative financial liabilities 2012

	within 1 year \$'000	1 to 2 years \$'000	Total \$'000
Other Liabilities			
Trade payables	5,480	-	5,480
Total	5,480	-	5,480

Maturities for non-derivative financial liabilities 2011

	within 1 year \$'000	1 to 2 years \$'000	Total \$'000
Other Liabilities			
Trade payables	5,518	-	5,518
Total	5,518	-	5,518

The ACMA has no derivative financial liabilities in both the current and prior financial year.

Note 13C: Market Risk

The ACMA holds basic financial instruments that do not expose the ACMA to certain market risks including currency risk, other price risk and interest rate risk.

Note 14: Financial Assets Reconciliation

		2012	2011
		\$'000	\$'000
Financial assets	Notes		
Total financial assets as per balance sheet		30,019	32,753
Less: non-financial instrument components:			
Appropriations receivable	5B	27,399	30,368
Other receivables	5B	1,245	1,313
Total non-financial instrument components		28,644	31,681
Total financial assets as per financial instruments note	13A	1,375	1,072

Note 15: Administered - Expenses

	2012	2011
	\$'000	\$'000
EXPENSES		
<i>Note 15A: Suppliers</i>		
Consultants	531	-
Total goods and services	531	-
Goods and services are made up of:		
Rendering of services – external parties	531	-
Total goods and services	531	-
Total suppliers expenses	531	-
<i>Note 15B: Subsidies</i>		
Payable to external parties	161,046	161,343
Total subsidies	161,046	161,343
<i>Note 15C: Write-Down and Impairment of Assets</i>		
Asset write-downs and impairments from:		
Impairment on financial instruments	363	46
Total write-down and impairment of assets	363	46

Note 16: Administered - Income

	2012 \$'000	2011 \$'000
OWN-SOURCE REVENUE		
Taxation Revenue		
<i>Note 16A: Other Taxes</i>		
Broadcasting licence fees	231,191	150,449
Radiocommunications taxes	146,048	161,885
Telecommunication numbering charges	60,000	60,000
Total other taxes	437,239	372,334
Non-Taxation Revenue		
<i>Note 16B: Sale of Goods and Rendering of Services</i>		
Rendering of services – external parties	3,213	3,156
Total sale of goods and rendering services	3,213	3,156
<i>Note 16C: Fees and Fines</i>		
Licence fees (excluding broadcasting)	41,125	40,930
Fines and Penalties	332	189
Total fees and fines	41,457	41,119
<i>Note 16D: Other Revenue</i>		
Industry contributions	160,904	160,654
Total other revenue	160,904	160,654
GAINS		
<i>Note 16E: Sale of Assets</i>		
Intangibles:		
Proceeds from sale	3,562	2,863
Total net gain from sale of assets	3,562	2,863
<i>Note 16F: Reversal of Previous Asset Write-Downs and Impairments</i>		
Reversal of impairment losses	-	9
Total reversals of previous asset write-downs and impairments	-	9

Note 17: Administered- Financial Assets

	2012	2011
	\$'000	\$'000
FINANCIAL ASSETS		
<i>Note 17A: Cash and Cash Equivalents</i>		
Special accounts	320	375
Cash on hand or on deposit	57	33
Total cash and cash equivalents	377	408
<i>Note 17B: Taxation Receivables</i>		
Other taxes	208,521	159,591
Total taxation receivables (gross)	208,521	159,591
Less: impairment allowance account		
Other taxes	976	949
Total taxation receivables (net)	207,545	158,642
Receivables are expected to be recovered in:		
No more than 12 months	207,545	158,642
Total trade and other receivables (net)	207,545	158,642
Taxation receivables were aged as follows:		
Not overdue	180,646	153,951
Overdue by:		
0 to 30 days	251	460
31 to 60 days	26,639	4,229
61 to 90 days	9	2
More than 90 days	976	949
Total taxation receivables (gross)	208,521	159,591
The impairment allowance account is aged as follows:		
Not overdue	-	-
Overdue by:		
0 to 30 days	-	-
31 to 60 days	-	-
61 to 90 days	-	-
More than 90 days	976	949
Total impairment allowance account	976	949

Note 17: Administered- Financial Assets

	2012	2011
	\$'000	\$'000

Note 17C: Receivables

Goods and services:

Goods and services receivable - external parties	659	371
Total receivables for goods and services	659	371

Other receivables:

Fees, charges and other revenues	45,126	44,861
Fines	19,741	19,741
GST receivable from Australian Taxation Office	365	-
Total other receivables	65,232	64,602
Total receivables (gross)	65,891	64,973

Less: impairment allowance account

Other receivables	26,796	26,784
Total receivables (net)	39,095	38,189

Receivables are expected to be recovered in:

No more than 12 months	39,095	38,189
Total trade and other receivables (net)	39,095	38,189

Receivables were aged as follows:

Not overdue	20,107	37,698
Overdue by:		
0 to 30 days	18,822	341
31 to 60 days	128	143
61 to 90 days	38	15
More than 90 days	26,796	26,776
Total receivables (gross)	65,891	64,973

The impairment allowance account is aged as follows:

Not overdue	-	-
Overdue by:		
0 to 30 days	-	-
31 to 60 days	-	-
61 to 90 days	-	8
More than 90 days	26,796	26,776
Total impairment allowance account	26,796	26,784

Goods and services receivables are with entities external to the Australian Government. Credit terms granted to receivables vary dependant on legislation.

Note 17: Administered- Financial Assets**Reconciliation of the Impairment Allowance Account:****Movements in relation to 2012**

	Taxation receivables	Other receivables	Total
	\$'000	\$'000	\$'000
Opening balance	949	26,784	27,733
Amounts written off	(100)	(224)	(324)
Increase/(decrease) recognised in net surplus	127	236	363
Closing balance	976	26,796	27,772

Movements in relation to 2011

	Taxation receivables	Other receivables	Total
	\$'000	\$'000	\$'000
Opening balance	949	29,331	30,280
Amounts written off	(1)	(2,592)	(2,593)
Increase/(decrease) recognised in net surplus	1	45	46
Closing balance	949	26,784	27,733

Note 18: Administered - Payables

	2012 \$'000	2011 \$'000
Note 18A: Subsidies		
Payable to external entities	83	5
Total subsidies	83	5
Subsidies are expected to be settled in:		
No more than 12 months	83	5
Total subsidies	83	5
Note 18B: Other Payables		
Prepayments received/unearned income	5,124	3,290
Other	1,316	385
Total other payables	6,440	3,675
Other payables are expected to be settled in:		
No more than 12 months	6,440	3,675
Total other payables	6,440	3,675

Note 19: Administered - Cash Flow Reconciliation

	2012 \$'000	2011 \$'000
Reconciliation of cash and cash equivalents as per Administered Schedule of Assets and Liabilities to Administered Cash Flow Statement		
Cash and cash equivalents as per:		
Schedule of administered cash flows	377	408
Schedule of administered assets and liabilities	377	408
Difference	<u>-</u>	<u>-</u>
Reconciliation of net cost of services to net cash from operating activities:		
Net cost of services	484,435	418,746
Adjustments for non-cash items		
Gain on disposal of assets	(3,562)	(2,863)
Changes in assets / liabilities		
(Increase) / decrease in net receivables	(49,808)	158,855
(Increase) / decrease in other financial assets	-	26
Increase / (decrease) in subsidies payables	78	5
Increase / (decrease) in other payable	2,718	551
Net cash from (used by) operating activities	<u>433,861</u>	<u>575,320</u>

Note 20: Administered - Contingent Assets and Liabilities***Quantifiable Assets and Liabilities***

The ACMA has no contingent assets nor liabilities as at 30 June 2012 (2011: nil)

Unquantifiable Contingencies

The ACMA has no unquantifiable contingencies as at 30 June 2012 (2011: nil).

Significant Remote Contingencies

The ACMA has no remote contingencies as at 30 June 2012 (2011: nil).

Note 21: Administered - Financial Instruments

	2012	2011
	\$'000	\$'000
Note 21A: Categories of Financial Instruments		
Loans and receivables:		
Cash and cash equivalents	377	408
Goods and services receivables	659	371
Fees, charges and other revenue receivables	45,126	44,861
Total	46,162	45,640
Carrying amount of financial assets	19,366	18,856
Financial Liabilities		
At amortised cost:		
Subsidies payable	83	5
Total	83	5
Carrying amount of financial liabilities	83	5

Note 21B: Net Income and Expense from Financial Assets

All loans and receivables are short term and non interest bearing. There is no income or expense from these assets (2011: nil)

Note 21C: Net Income and Expense from Financial Liabilities

All financial liabilities are short term and non interest bearing. There is no income or expense from financial liabilities (2011: nil)

Note 21D: Fair Value of Financial Instruments

All financial assets and liabilities are short term trade receivables and payables the carrying amounts of which are reasonable approximation of fair value.

Note 21: Administered - Financial Instruments**Note 21E: Credit Risk**

The ACMA is exposed to minimal credit risk as loans and receivables are cash and trade receivables. The maximum exposure to credit risk is the risk that arises from potential default of a debtor. This amount is equal to the total amount of trade receivables (2012: \$45,785,000 and 2011: \$45,232,000). The ACMA has assessed the risk of the default on payment and has allocated \$27,772,000 in 2012 (2011: \$27,733,000) to an impairment allowance account.

The ACMA manages its credit risk by restricting the provision of goods and services on credit to pre-approved credit clients only. Credit limits granted to approved clients are re-assessed at least annually to ensure that the ACMA is not exposed to unacceptable credit risk.

The ACMA holds no collateral to mitigate against credit risk.

Credit quality of financial instruments not past due or individually determined as impaired

	Not past due nor impaired	Not past due nor impaired	Past due or impaired	Past due or impaired
	2012	2011	2012	2011
	\$'000	\$'000	\$'000	\$'000
Loans and receivables				
Cash and cash equivalents	377	408	-	-
Other receivables	1	17,957	45,784	27,275
Total	378	18,365	45,784	27,275

Ageing of financial assets that were past due but not impaired for 2012

	0 to 30 days	31 to 60 days	61 to 90 days	90+ days	Total
	\$'000	\$'000	\$'000	\$'000	\$'000
Loans and receivables					
Other receivables	18,822	128	38	-	18,988
Total	18,822	128	38	-	18,988

Ageing of financial assets that were past due but not impaired for 2011

	0 to 30 days	31 to 60 days	61 to 90 days	90+ days	Total
	\$'000	\$'000	\$'000	\$'000	\$'000
Loans and receivables					
Other receivables	341	143	7	-	491
Total	341	143	7	-	491

Note 21: Administered - Financial Instruments**Note 21F: Liquidity Risk**

The ACMA's financial liabilities are payables. The exposure to liquidity risk is based on the notion that the ACMA will encounter difficulty in meeting its obligations associated with financial liabilities.

This is highly unlikely as the ACMA is appropriated funding from the Australian Government and the ACMA manages its budgeted funds to ensure it has adequate funds to meet payments as they fall due. In addition, the ACMA has policies in place to ensure timely payments are made when due and has no past experience of default.

Maturities for non-derivative financial liabilities 2012

	within 1 year \$'000	1 to 2 years \$'000	Total \$'000
Other Liabilities			
Subsidies Payable	83	-	83
Total	83	-	83

Maturities for non-derivative financial liabilities 2011

	within 1 year \$'000	1 to 2 years \$'000	Total \$'000
Other Liabilities			
Subsidies Payable	5	-	5
Total	5	-	5

The ACMA has no derivative financial liabilities in both the current and prior financial year.

Note 21G: Market Risk

The ACMA holds basic financial instruments that are non-interest bearing and have no exposure to market risks.

Note 22: Administered - Financial Assets Reconciliation

		2012	2011
		\$'000	\$'000
Financial assets	Notes		
Total financial assets as per schedule of administered assets and liabilities		247,017	197,239
Less: non-financial instrument components			
Other receivables		207,545	158,642
Goods and Services		20,106	19,741
Total non-financial instrument components		<u>227,651</u>	<u>178,383</u>
Total financial assets as per financial instruments note	21A	<u>19,366</u>	<u>18,856</u>

Note 23: Appropriations

Table A: Annual Appropriations (Recoverable GST exclusive)

	2012 Appropriations			Appropriation applied in 2012 (current and prior years)	Variance
	Appropriation Act	FMA Act	Total appropriations		
	Annual Appropriation \$'000	Section 31 \$'000	\$'000	\$'000	\$'000
DEPARTMENTAL					
Ordinary annual services	112,117	818	112,935	(116,349)	(3,414)
Other services	150		150	(150)	-
Total departmental	112,267	818	113,085	(116,499)	(3,414)

Notes:

- (1) Departmental appropriations do not lapse at financial year-end, prior year appropriations are utilised before the current year's appropriations.
- (2) The overspend of \$3.4M ordinary appropriations is due to this year's purchase of assets funded from prior year's DCB appropriations.

	2011 Appropriations			Appropriation applied in 2011 (current and prior years)	Variance
	Appropriation Act	FMA Act	Total appropriations		
	Annual Appropriation \$'000	Section 31 \$'000	\$'000	\$'000	\$'000
DEPARTMENTAL					
Ordinary annual services	118,039	1,000	119,039	(106,337)	12,702
Other services	5,357		5,357	(12,087)	(6,730)
Total departmental	123,396	1,000	124,396	(118,424)	5,972

Notes:

- (1) Departmental appropriations do not lapse at financial year-end, prior year appropriations are utilised before the current year's appropriations.
- (2) The underspend of \$12.7M ordinary appropriations for this year was due to unforeseen delays in the development of assets which were planned to be capitalised during the current year.
- (3) The overspend of \$6.7M equity appropriations was due to this year's purchase of assets funded from prior year's equity appropriations.

Note 23: Appropriations

Table B: Departmental and Administered Capital Budgets ('Recoverable GST exclusive')

	2012 Capital Budget Appropriations		Capital Budget Appropriations applied in 2012 (current and prior years)		Variance ³ \$'000
	<i>Appropriation Act</i> Annual Capital Budget \$'000	Total Capital Budget Appropriations \$'000	Payments for non-financial assets ² \$'000	Total payments \$'000	
DEPARTMENTAL					
Ordinary annual services - Departmental Capital Budget ¹	8,591	8,591	(13,299)	(13,299)	(4,708)

Notes:

1. Departmental and Administered Capital Budgets are appropriated through Appropriation Acts (No.1,3,5). They form part of ordinary annual services, and are not separately identified in the Appropriation Acts. For more information on ordinary annual services appropriations, please see Table A: Annual appropriations.
2. Payments made on non-financial assets include purchases of assets, expenditure on assets which has been capitalised, costs incurred to make good an asset to its original condition, and the capital repayment component of finance leases.
3. The overspend of \$4.7M DCB appropriations is due to this year's purchase of assets funded from prior year's DCB appropriations.

	2011 Capital Budget Appropriations		Capital Budget Appropriations applied in 2011 (current and prior years)		Variance ³ \$'000
	<i>Appropriation Act</i> Annual Capital Budget \$'000	Total Capital Budget Appropriations \$'000	Payments for non-financial assets ² \$'000	Total payments \$'000	
DEPARTMENTAL					
Ordinary annual services - Departmental Capital Budget ¹	11,499	11,499	(2,468)	(2,468)	9,031

Notes:

1. Departmental and Administered Capital Budgets are appropriated through Appropriation Acts (No.1,3,5). They form part of ordinary annual services, and are not separately identified in the Appropriation Acts. For more information on ordinary annual services appropriations, please see Table A: Annual appropriations.
2. Payments made on non-financial assets include purchases of assets, expenditure on assets which has been capitalised, costs incurred to make good an asset to its original condition, and the capital repayment component of finance leases.
3. The underspend of \$9.0M ordinary appropriations for this year was due to unforeseen delays in the development of assets which were planned to be capitalised during the current year.

Note 23: Appropriations

Table C: Unspent Departmental Annual Appropriations (Recoverable GST exclusive)

Authority	2012 \$'000	2011 \$'000
Appropriation Act (No. 1) 2009-2010 as passed	311	-
Appropriation Act (No. 1) 2010-2011 as passed	4,397	15,668
Appropriation Act (No. 1) 2011-2012 as passed	12,700	-
Appropriation Act (No. 1) 2010-2011 as passed - Capital Budget	9,031	9,032
Appropriation Act (No. 2) 2009-2010 as passed Non operating (Equity)	-	311
Appropriation Act (No. 2) 2010-2011 as passed Non operating (Equity)	960	5,357
Total	27,399	30,368

Table D: Special Appropriations (Recoverable GST exclusive)

Authority	Type	Purpose	Appropriation applied 2012 \$'000	2011 \$'000
Financial Management and Accountability Act 1997 s28, Administered	Refund	Providing refunds for administered revenues	2,965	2,460
Telecommunications Act 1997 - s136C(4)	Limited amount	Reimbursement of costs of developing consumer-related industry code	210	-
Total			3,175	2,460

Note 24: Special Accounts and FMA Act Section 39 Investments

The Australian Communications and Media Authority is aware that there is a risk of non-compliance with Section 83 of the Constitution, where payments are made from special appropriations and special accounts, if payments do not align to the relevant legislation.

Section 83 of the Constitution provides that no amount may be paid out of the Consolidated Revenue Fund except under an appropriation made by law. The Department of Finance and Deregulation provided information to all agencies in 2011 regarding the need for risk assessments in relation to compliance with statutory conditions on payments from special appropriations, including special accounts. *The possibility of this being an issue for the agency was reported in the notes to the 2010-11 financial statements and the agency undertook to investigate the issue during 2011-12.*

The agency has 3 appropriations involving statutory conditions for payment, comprising:

- 1 special appropriation to reimburse the telecommunications industry for the costs of developing consumer-related industry code - this appropriation has been acquitted in Table D of Note 23 ; and
- 2 special accounts; the Universal Service Obligation (USO) special account, and the National Relay Service (NRS) special account - these accounts are both acquitted in Note 24A, which follows.

During 2011-12, the agency developed a plan to review exposure to risks of not complying with statutory conditions on payments from appropriations. The plan involved:

- identifying each special appropriation and special account;
- determining the risk of non-compliance by assessing the difficulty of administering the statutory conditions and assessing the extent to which existing payment systems and processes satisfy those conditions;
- determining procedures to confirm risk assessments in medium risk cases and to quantify the extent of any non-compliance in higher risk situations;
- where necessary, obtaining legal advice as appropriate to resolve questions of potential non-compliance; and
- considering legislative or procedural changes to reduce the risk of non-compliance in the future to an acceptably low level.

As at 30 June 2012 this work had been completed in respect of all the appropriations with statutory conditions for payment (representing \$81,362k of total \$161,940k expenditure in 2011-12).

The work conducted to date has identified no issues of non-compliance with Section 83 of the Constitution.

Note 24: Special Accounts and FMA Act Section 39 Investments

Note 24A: Special Accounts (Recoverable GST exclusive)

	Universal Service Account (USO) ¹		National Relay Service (NRS) ²		Other Trust Monies Account ³	
	2012 \$'000	2011 \$'000	2012 \$'000	2011 \$'000	2012 \$'000	2011 \$'000
Balance brought forward from previous period	166	861	-	19	208	-
Increases:						
Appropriation credited to special account	5,780	4,995	1,598	1,650	-	-
Other receipts	57,698	55,065	15,974	16,502	255	323
Total increases	63,478	60,060	17,572	18,152	255	323
Available for payments	63,644	60,911	17,572	18,171	463	323
Decreases:						
Payments made to suppliers	(63,580)	(60,745)	(17,572)	(18,171)	(208)	(115)
Balance transferred to CRF on abolishment of OTM account	-	-	-	-	(255)	-
Total decrease	(63,580)	(60,745)	(17,572)	(18,171)	(463)	(115)
Total balance carried to the next period	64	166	-	-	-	208

1. Appropriation: Financial Management and Accountability Act 1997 section 21.

Establishing Instrument: Telecommunications (Consumer Protection and Service Sids) Act 1999, Division 14, Section 21(2).

Purpose: The above account is used for the collection of USO levy from telecommunications providers and making payments to the USO provider.

2. Appropriation: Financial Management and Accountability Act 1997 section 21.

Establishing Instrument: Telecommunications (Consumer Protection and Service Sids) Act 1999, Division 14, Section 102(2).

Purpose: The above account is used for the collection of the NRS Levy from telecommunications providers and making payments to the NRS providers.

3. Appropriation: Financial Management and Accountability Act 1997 section 21.

Establishing Instrument: Financial Management Act 1962, s600

Purpose: Monies held on trust for or for the benefit of a person other than the Commonwealth.

It should be noted that this Other Trust Monies Account (OTM) has been abolished with effect from 26 June 2012, and all funds have been transferred to the Consolidated Revenue Fund (CRF). This OTM account has been replaced with a Services for Other Entities and Trust Monies Special Account (SOETM) with effect from 26 June 2012. There has been no transactions in the SOETM account this year.

Note 25: Compensation and Debt Relief

	2012 \$	2011 \$
Departmental		
No 'Act of Grace' expenses were incurred during the reporting period (2011: No payments made).	-	-
No above expenses were paid on a periodic basis (2011: No above expenses paid on a periodic basis).	-	-
No waivers of amounts owing to the Australian Government were made pursuant to subsection 34(1) of the Financial Management and Accountability Act 1997 (2011: No waiver made).	-	-
No payments were provided under the Compensation for Detriment caused by Defective Administration (CDDA) Scheme during the reporting period (2011: No payments made).	-	-
No payments were provided under the Compensation for Detriment caused by Defective Administration (CDDA) Scheme during the reporting period (2011: No payments made).	-	-
No payments were provided in special circumstances relating to APS employment pursuant to section 73 of the Public Service Act 1999 (PS Act) during the reporting period (2011: No payments made).	-	-
Administered		
No 'Act of Grace' expenses were incurred during the reporting period. (2011: No payments made).	-	-
No above expenses were paid on a periodic basis (2011: No above expenses paid on a periodic basis).	-	-
No waivers of amounts owing to the Australian Government were made pursuant to subsection 34(1) of the Financial Management and Accountability Act 1997 (2011: No waiver made).	-	-
No payments were provided under the Compensation for Detriment caused by Defective Administration (CDDA) Scheme during the reporting period (2011: No payment made).	-	-
No payments were provided under the Compensation for Detriment caused by Defective Administration (CDDA) Scheme during the reporting period (2011: No payments made).	-	-
No ex-gratia payments were provided for during the reporting period (2011: No payments)	-	-
No payments were provided in special circumstances relating to APS employment pursuant to section 73 of the Public Service Act 1999 (PS Act) during the reporting period (2011: No payments made).	-	-

Note 26: Reporting of Outcome**Note 26A: Net Cost of Outcome Delivery**

	Outcome 1	
	2012	2011
	\$'000	\$'000
Departmental		
Expenses	(112,769)	(111,216)
Own-source income	1,625	1,379
Administered		
Expenses	(161,940)	(161,389)
Own-source income	646,375	580,135
Net contribution to outcome delivery	373,291	308,909

Note 26B: Major Classes of Departmental Expense, Income, Assets and Liabilities by

	Outcome 1	
	2012	2011
	\$'000	\$'000
Expenses		
Employee Benefits	71,270	68,939
Suppliers	35,045	35,211
Depreciation and amortisation	6,344	7,002
Write-down and impairments of assets	110	64
Total	112,769	111,216
Income		
Revenue from government	103,526	98,935
Sale of goods and rendering services	486	190
Other Revenue	1,055	1,094
Other gains	84	95
Total	105,151	100,314
Assets		
Cash and cash equivalents	1,315	1,029
Trade and other receivables	28,704	31,724
Land and buildings	13,457	12,957
Infrastructure, plant and equipment	7,139	9,136
Intangibles	20,131	12,215
Other non-financial assets	1,606	1,274
Total	72,352	68,335
Liabilities		
Suppliers	5,910	5,668
Other payables	3,231	2,800
Employee provisions	18,786	16,064
Other provisions	1,930	1,856
Total	29,857	26,388

Note 26: Reporting of Outcome
Note 26C: Major Classes of Administered Expenses, Income, Assets and Liabilities by Outcome

	Outcome 1	
	2012	2011
	\$'000	\$'000
Expenses		
Suppliers	531	0
Subsidies	161,046	161,343
Write-down and impairments of assets	363	46
Total	161,940	161,389
Income		
Other Taxes	437,239	372,334
Sale of goods and rendering services	3,213	3,156
Fees and fines	41,457	41,119
Other non-taxation revenue	160,904	160,654
Sale of assets	3,562	2,863
Total	646,375	580,126
Assets		
Cash and cash equivalents	377	408
Taxation receivables	207,545	158,642
Receivables	39,095	38,189
Total	247,017	197,239
Liabilities		
Subsidies	83	5
Other payables	6,440	3,675
Total	6,523	3,680

Note 27: Competitive Neutrality and Cost Recovery

	2012	2011
	\$'000	\$'000
Note 27A: Receipts Subject to Cost Recovery Policy		
Significant cost recovery arrangements		
Fees for industry number allocation	960	955
Other services	581	329
Total receipts subject to cost recovery policy	1,541	1,284

Note 27B: Administered Receipts Subject to Cost Recovery Policy

Significant cost recovery arrangements		
Annual Carrier Licence Charge	38,054	37,720
Do Not Call Register	2,896	2,797
Radio and Telecommunications Licences	3,388	3,569
Total administered receipts subject to Cost Recovery Policy	44,338	44,086

Note 28: Net Cash Appropriation Arrangements

	2012 \$'000	2011 \$'000
Total comprehensive income less depreciation/amortisation expenses previously funded through revenue appropriations¹	(1,849)	(4,250)
Plus: depreciation/amortisation expenses previously funded through revenue appropriation	<u>(6,344)</u>	<u>(7,002)</u>
Total comprehensive income (loss) - as per the Statement of Comprehensive Income	<u>(8,193)</u>	<u>(11,252)</u>

1. From 2010-11, the Government introduced net cash appropriation arrangements, where revenue appropriations for depreciation/amortisation expenses ceased. Entities now receive a separate capital budget provided through equity appropriations. Capital budgets are to be appropriated in the period when cash payment for capital expenditure is required.

Glossary

3G	Third generation mobile telecommunications Mobile telecommunications systems that can provide global mobile communications and support multimedia applications.
3.5G/4G	Enhancements to mobile telecommunications systems that increase the usable data rate to allow the delivery of data-intensive applications such as high resolution video.
ABA	Australian Broadcasting Authority Former Commonwealth regulatory authority responsible for broadcasting.
ABC	Australian Broadcasting Corporation Free-to-air national broadcaster of ABC radio and television channels, as well as the internet services ABC Online, ABC Broadband and DIG internet radio. The ABC is funded by the Australian Government.
ABS	Australian Bureau of Statistics Australia's official statistical organisation serving government, business and the general population.
ACA	Australian Communications Authority Former Commonwealth regulatory authority responsible for radiocommunications and telecommunications.
ACCC	Australian Competition and Consumer Commission Commonwealth regulatory body with responsibilities derived from the <i>Trade Practices Act 1974</i> .
ACE	Australian Communication Exchange Current National Relay Service provider and emergency call person for the text-based emergency call service.
ACMA	Australian Communications and Media Authority Commonwealth regulatory authority for broadcasting, online content, radiocommunications and telecommunications, with responsibilities under the <i>Broadcasting Services Act 1992</i> , the <i>Radiocommunications Act 1992</i> , the <i>Telecommunications Act 1997</i> and related Acts. Established on 1 July 2005 following a merger of the Australian Communications Authority and the Australian Broadcasting Authority.
ADSL2+	Version of ADSL that uses double the bandwidth for downstream data transmission, effectively doubling maximum downstream data rates.
AISI	Australian Internet Security Initiative An initiative developed by the ACMA that provides daily reports to Australian ISPs identifying recent instances of 'compromised' (infected) IP addresses on their networks.
ANAO	Australian National Audit Office Office responsible for financial and performance audits of Commonwealth departments and authorities.
ANC	Annual Numbering Charges
ARPANSA	Australian Radiation Protection and Nuclear Safety Agency Commonwealth regulatory and research agency responsible for protecting people and the environment from the harmful effects of ionising and non-ionising radiation.
Associated Newspaper Register	A public register of newspapers 'associated' with commercial radio or commercial television broadcasting licence areas.
ASTRA	Australian Subscription Television and Radio Association Industry body for subscription television, radio broadcasters and narrowcasters, responsible for developing and reviewing industry codes of practice, in consultation with the ACMA.

bandwidth	In the internet industry, bandwidth refers to the capacity of a connection to carry information, while in radiocommunications, it is the amount of radiofrequency spectrum used for a particular function.
broadband	Describes a class of internet access technologies, such as ADSL, HFC cable and Wifi, offering a data rate significantly higher than narrowband services. These services are usually 'always on' and do not tie up a telephone line exclusively for data.
BSB	broadcasting services bands Parts of the radiofrequency spectrum dedicated to broadcasting services.
carrier	The holder of a telecommunications carrier licence in force under the <i>Telecommunications Act 1997</i> .
CCF	Consumer Consultative Forum Assists the ACMA to perform its functions relating to consumers.
CDMA	code division multiple access Digital coding technique used primarily for mobile telecommunications and satellite services, employing a bandwidth much larger than the original signal. Each signal is uniquely encoded and decoded, allowing many signals to occupy the same spectrum.
Communications Alliance	Australia's peak communications industry organisation that promotes the growth of the Australian communications industry and the protection of consumer interests.
coverage area	Geographic area in which calls are able to be made successfully. For instance, the area between a base station and a mobile phone handset.
CPRs	cabling provider rules Rules to support telecommunications cabling industry self-regulation.
CSER	Communications Security and Enforcement Roundtable A forum that deals with communications, law enforcement, regulatory and operational matters. CSER replaced the Law Enforcement Advisory Committee (LEAC).
CSG	Customer Service Guarantee Standard covering provision of the standard telephone service that provides for financial compensation to customers if the requirements in the standard are not met. The new CSG Standard came into effect from 30 June 2000, replacing the original 1998 standard, and was amended in 2004.
CSP	carriage service provider Person supplying or proposing to supply services to the public using carrier networks.
CTS	Children's Television Standards Standards designed to provide access for children (aged <14 years) to quality television programs made specifically for them. The standards regulate timing and scheduling of children's programs and content of adjacent programming.
DAB	Digital Audio Broadcasting A digital radio technology for broadcasting radio stations.
datacasting	A service that delivers content in the form of text, data, speech, music or other sounds, visual images, or any other form or combinations of forms, where delivery uses the BSB.
DBCDE	Department of Broadband, Communications and the Digital Economy Commonwealth department that provides policy advice and program support to the Australian Government on information technology and communications portfolio issues.
DNCR	Do Not Call Register An Australian Government program administered by the ACMA to allow Australian numbers to be registered to opt out of receiving most unsolicited marketing calls or faxes (with limited exemptions for public interest organisations).
ECSAC	Emergency Call Service Advisory Committee Formerly the Emergency Services Advisory Committee. Advises on emergency services matters.
EMC	electromagnetic compatibility Ability of an electrical or electronic device or system to function satisfactorily without causing electromagnetic interference to other devices.
EME	electromagnetic energy Energy of electric and magnetic field components of a radio wave.
ENUM	Electronic NUMbering A protocol that translates numbers into a format that can be recognised by the internet system, and enables the linking of telephone numbers or internet addresses with communications services such as email, facsimile transmission and mobile telephony.
ESNA	e-security National Agenda Established by the Australian Government to strengthen the electronic operating environment for business, home users and government agencies.

ESO	Emergency Service Organisation Organisation providing an emergency service, such as police, ambulance or fire brigade.
fixed-line telephone service	A term used to describe the delivery of voice services over the PSTN network. Does not typically refer to VoIP phone services.
FLRN	freephone and local rate number Telephone numbers commencing with the digits 180 (freephone) and 13 (local rate).
FOI Act	<i>Freedom of Information Act 1982</i> Legislation dealing with access by the general public to information gathered and held by Commonwealth agencies.
Free TV Australia	Industry body responsible for developing and reviewing the Commercial Television Industry Code of Practice.
GHz	gigahertz One billion Hertz (where one Hertz is the measurement of frequency equal to one cycle of electromagnetic radiation per second).
GSM	global system for mobile communications The widely used European digital cellular network standard.
HDTV	high definition television A digital television broadcasting system with higher resolution than traditional television systems.
HF	high frequency Radiofrequency spectrum in the 3–30 MHz frequency range.
IAP	Internet Assistance Program
ICT	Information and Communication Technology
INHOPE	International Association of Internet Hotlines Deals with complaints about illegal internet content, mainly child pornography.
INMS	Industry Number Management Services Ltd Company established by carriers and carriage service providers to manage and allocate portable freephone and local-rate numbers from a pool, under delegation from the ACMA.
interception	The interception of telecommunications services for the purpose of law enforcement and national security.
IP	internet protocol The key member of the suite of internet protocols at the logical layer, specifying packet addressing and routing of data through the internet.
IPND	Integrated Public Number Database Database of information about customers of telecommunications services in Australia, arranged by number, for all carriers and carriage service providers.
IPTV	internet protocol television Television system whereby digital content is delivered via a network infrastructure, often in conjunction with video-on-demand and other non-television services such as VoIP and other internet services.
ISP	internet service provider Service provider offering internet access.
ITU	International Telecommunication Union United Nations agency that coordinates international telecommunications matters.
ITU-R	ITU—Radiocommunication Sector ITU body dealing with international radiocommunications matters.
kbit/s	kilobits per second Data communication rate of one thousand bits per second.
kHz	kilohertz One thousand Hertz (see also GHz).
LAP	licence area plan A legislative instrument setting out the licence area and the technical specifications for existing and proposed services.
LEAC	Law Enforcement Advisory Committee Committee that advises on communications law enforcement matters. LEAC was replaced by CSER in 2008–09.
LIPD	Low Interference Potential Devices

low-impact facilities	Communications facilities that are considered to have a low impact on their environment. They include underground cabling, small radiocommunications antennas and dishes, in-building subscriber connections and public payphones. The Telecommunications Act provides carriers with immunity from state and territory planning laws for the installation of 'low-impact' facilities.
LPON	low power open narrowcasting Radiocommunications class licence type authorising radio services operating at very low power outputs in the frequency range 87.5–88.0 MHz.
MHz	Megahertz One million Hertz (see also GHz).
the minister	Minister for Broadband, Communications and the Digital Economy Minister responsible for the ACMA and its governing legislation.
MMS	multimedia messaging service Mobile telecommunications data transmission service for sending messages with a combination of text, sound, image and video to MMS-capable handsets.
MNP	mobile number portability Portability for mobile phone numbers. See number portability .
NAC	Numbering Advisory Committee Committee established to advise on numbering matters.
narrowband	A class of telecommunications services such as dial-up internet access that offer data rates of 64 kbit/s or lower.
NATA	National Association of Testing Authorities Australia's national laboratory accreditation authority that recognises and promotes facilities competent in specific types of testing, measurement, inspection and calibration.
NGN	next generation network General term for developments in network architecture using various access and core technologies covering wired, wireless and mobile communications. A primary characteristic is the decoupling of services and networks, allowing these to be offered separately and to evolve independently.
NRF	Network Reliability Framework Requirement on Telstra from January 2003 to provide regular reports to the ACMA on the reliability of its fixed-line services, and to remediate the network in areas with particularly poor performance.
NRS	National Relay Service Translation service between voice and non-voice telephone users providing access to the standard telephone service for people with communication impairment. Relays voice, modem or telephone typewriter communications.
number portability	Arrangements allowing customers to transfer from one telecommunications service provider to another without changing their number.
payphone	Public telephone where calls may be paid for with coins, phone cards, credit cards or reverse charge facilities.
portability	See number portability .
pre-selection	Offers customers choice and supports competition by enabling competing operators to use the networks of other carriers to access their customers.
priority assistance	Service for people with a diagnosed life-threatening medical condition entitling them to faster connection and fault repair of their fixed-line telephone service.
RCC	Radiocommunications Consultative Committee Formed to facilitate consultation between the ACMA and industry on major domestic and international radiocommunications issues.
RCMG	Register of Controlled Media Groups Lists the media groups in each licence area, the media operations that form part of a group and the controllers of those operations.
SBS	Special Broadcasting Service Free-to-air national radio and television broadcasting service providing multilingual and multicultural programs that inform, educate and entertain all Australians and, in doing so, reflect Australia's multicultural society. The SBS Online service also provides additional multilingual content through the internet.
SDTV	Standard definition television
SID	Spam Intelligence Database Designed and built in-house, SID is the ACMA's high-performance spam analysis system, capable of processing hundreds of thousands of spam email messages per day. SID analyses all components of an email and stores the data in such a way that it can be easily searched, categorised and linked to data from other emails with similar characteristics.

SMP	standard marketing plan Approved plan by the universal service provider of how it will meet the USO.
SMS	short message service Mobile telecommunications data transmission service that allows users to send short text messages to each other using the mobile handset keypad.
spam	Unsolicited commercial electronic messages sent to email, mobile phone and instant messaging accounts.
smartnumbers®	Specified freephone (1800) or local-rate (13 or 1300) numbers allocated by auction that are considered desirable because they can be translated to a phoneword or have a memorable pattern.
Subscription television	Service providing access, for a fee, to television channels transmitted using cable, satellite or terrestrial microwave.
TAG	Technical Advisory Group Provides policy advice and recommendations to the ACMA about strategic directions in the technical regulation of communications in Australia.
TCBL	temporary community broadcasting licence
three-way control	An unacceptable three-way control situation exists in relation to the licence area of a commercial radio broadcasting licence (the first radio licence area) if a person is in a position to exercise control of a commercial television broadcasting licence, where more than 50 per cent of the licence area population of the first radio licence area is attributable to the licence area of the commercial television broadcasting licence; and a commercial radio broadcasting licence, where the licence area of the commercial radio broadcasting licence is, or is the same as, the first radio licence area; and a newspaper that is associated with the first radio licence area.
TIO	Telecommunications Industry Ombudsman Industry-funded independent dispute resolution service for consumers who are unable to resolve individual complaints with their carriers and carriage service providers.
trigger event	A trigger event relates to commercial regional radio licences and includes a transfer of a licence; or formation of a new registrable media group which includes a regional commercial radio broadcasting licence; or change of controller of a registrable media group which includes a regional commercial radio broadcasting licence.
TS	technical standard Standard for communications customer equipment or networks.
TSAG	Telecommunications Standardization Advisory Group
TTY	teletypewriter Telephone typewriter where the caller types the communication after the call is connected, enabling people with a communication impairment to use the standard telephone service.
TWG	Technical Working Group
UHF	ultra high frequency Part of the radiofrequency spectrum between 300 and 3,000 MHz.
USO	universal service obligation Obligation under the <i>Telecommunications Act 1997</i> to ensure that standard telephone, payphone and prescribed carriage services are reasonably accessible to all people in Australia on an equitable basis, wherever they reside or carry on business.
VHF	very high frequency Portion of the radiofrequency spectrum between 30 and 300 MHz.
VoIP	voice over internet protocol A protocol for transmitting voice over packet-switched data networks. Also called IP telephony.
WAS	Wireless access services The wireless connection of business and households to the internet and the phone system.
WiMAX	Worldwide Interoperability for Microwave Access Industry group organised to advance the IEEE 802.16 standards for broadband wireless access networks for multimedia applications with a wireless connection.
WRC	World Radiocommunication Conference ITU conference held every three or four years to review and amend international radio regulations.

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Canberra

Purple Building
Benjamin Offices
Chan Street
Belconnen ACT

PO Box 78
Belconnen ACT 2616

T +61 2 6219 5555
F +61 2 6219 5353

Melbourne

Level 44
Melbourne Central Tower
360 Elizabeth Street
Melbourne VIC

PO Box 13112
Law Courts
Melbourne VIC 8010

T +61 3 9963 6800
F +61 3 9963 6899

Sydney

Level 5
The Bay Centre
65 Pirrama Road
Pyrmont NSW

PO Box Q500
Queen Victoria Building
NSW 1230

T +61 2 9334 7700
1800 226 667
F +61 2 9334 7799